

Marvin G. Diveley, Brownstown.  
 Clyde P. Stone, Carmi.  
 Clason W. Black, Clay City.  
 Mary J. Comstock, Dietrich.  
 Ira D. Hogue, Dongola.  
 Beryl J. Donaldson, Farina.  
 Margaret Echols, Flossmoor.  
 Harold E. Young, Mounds.  
 Paul B. Laugel, Newton.  
 Paul R. Smoot, Petersburg.  
 Martin J. Naylon, Polo.  
 Floyd J. Tilton, Rochelle.  
 Alva M. Clavin, Sterling.  
 Melvin Higginson, West Frankfort.

## IOWA

Clifford A. Brause, Denver.  
 Clara E. Kennedy, Estherville.  
 Eva Keith, Goldfield.  
 Frank Proescholdt, Manilla.  
 Elmer D. Bradley, Missouri Valley.  
 Mark F. Hogan, Monticello.  
 Vane E. Herbert, Storm Lake.  
 John F. Taylor, Villisca.  
 Myrtle Ruth Lash, What Cheer.

## NEW MEXICO

Joseph H. Gentry, Fort Stanton.  
 Alda M. O'Hara, Las Cruces.

## OREGON

Robert H. Fox, Bend.  
 Joseph M. Buchanan, Crane.  
 Claude H. Reavis, Enterprise.  
 Hiram J. Stillings, Hermiston.  
 Margaret Marie Anderson, Jordan Valley.  
 May B. Johnson, Madras.  
 Henry Lloyd, Milton.  
 Henry Alm, Silverton.

## TENNESSEE

Ferd B. Cowan, White Pine.

## HOUSE OF REPRESENTATIVES

THURSDAY, MAY 31, 1934

The House met at 12 o'clock noon.

Rev. Frederick Brown Harris, D.D., of the Foundry Methodist Episcopal Church, Washington, D.C., offered the following prayer:

Our Father God, with the din of clamorous voices in our ears, we would hush earth's noises and wait in this quiet moment for the still, small voice of the Eternal Spirit, lest we forget whose servants we are. Amid the tumult and shouting of troubled days we would lift our eyes to the eternal verities. In our bewildering doubt and darkness lift upon us the light of Thy countenance, Thou God who hast been our help in ages past, Thou who art our hope for years to come. Breathe through the heats of our desire Thy coolness and Thy balm. In discordant and disordered days may our ordered lives confess the beauty of Thy peace.

We pray for new insights and for larger sympathies. Recognition of our oneness in Thee makes vivid our realization of the oneness of humanity across all separating barriers of border or breed or birth. Lift the levels of our thinking and living above the fog of blinding prejudice and selfish seeking.

As we look to Thee now in this national shrine of each patriot's devotion, inspire these servants of Thine and of the people to face the vast needs of the present and of the future with dauntless courage and that brotherly compassion for the baffled and discouraged multitudes which moved the heart of that Lord and Master of us all. We ask it in His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 9322. An act to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House thereon, and appoints Mr. STEPHENS, Mr. COPELAND, and Mr. McNARY to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 785. An act for the relief of Elizabeth Bolger;

S. 2002. An act for the relief of R. S. Howard Co., Inc., and

S. 2342. An act for the relief of I. T. McRee.

Mr. McGUGIN. Mr. Speaker, I make the point that there is no quorum present.

Mr. SHALLENBERGER. Will the gentleman withhold that for a minute?

Mr. McGUGIN. I will withhold it.

## FARM CREDIT ADMINISTRATION AND AGRICULTURAL RECOVERY

Mr. SHALLENBERGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of farm relief.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHALLENBERGER. Mr. Speaker, a little more than a year ago President Franklin D. Roosevelt signed an Executive order creating the Farm Credit Administration, consolidating the then existing Federal financial agencies making loans to farmers and cooperatives, and setting up new agencies required to make the system effective.

It is not given to us to read the history of our times as posterity will see it, but I venture the prediction that this Executive order, backed by the legislation this Congress enacted to make it effective, will be pronounced one of the outstanding achievements of this administration. It was created at a time when agriculture in practically all its branches was prostrate. Foreclosures were the order of the day, and farms all over the land were being sold at sheriffs' sales for a tithe of their values because private sources of credit had dried up and there was no way in which land mortgages could be refinanced.

Today that tide has been stemmed in most sections, and with lower interest rates, temporary postponement of principal payments, and longer terms for amortization, made possible through this agency, farmers who have been advised and availed themselves of its operations are enabled to resume normal agricultural activities, freed from the fear of homeless old age. In some communities, I grant you, the relief has not been as extensive as in others, nor as great as the emergency seems to warrant. But bear in mind, Mr. Speaker, that the organization now functioning under Gov. W. I. Myers is endeavoring to correct a maladjustment which grew up over a period of years when administrations here in Washington, devoid of either vision or understanding, were willing to let things drift, hoping conditions would right themselves. Instead, they grew steadily worse until the Nation itself was almost on the verge of collapse, and it took the strong hand and clear head of President Roosevelt, backed by an aroused electorate and a loyal Congress, to save the situation.

I submit that it is being saved, Mr. Speaker, and in proof thereof point to the fact that in the first 12 months after its creation the Farm Credit Administration made loans to farmers aggregating \$1,273,000,000. Of this amount \$791,000,000 represented loans made by the Federal land banks and the Land Bank Commissioner in saving 316,000 farms from foreclosure. Ninety percent of this went to pay old

debts, due in a large part to local creditors, and the usefulness of the money loaned was thereby multiplied, giving direct support to reviving business activity throughout the agricultural sections of the Nation.

A break-down of these figures shows that \$218,230,000 of this vast sum was paid to commercial banks in the communities where the farms were located and which were themselves oftentimes in distress; \$82,480,000 was paid to insurance companies; \$21,900,000 for payment of delinquent and current taxes; and \$381,540,000 to private mortgage companies, retired farmers, dealers, and other local creditors.

In taking over these mortgages the Government followed sound business principles and where prior loans were deemed excessive insisted on their being scaled down. In this way, during the first year of its existence, the Farm Credit Administration has reduced the total of outstanding farm mortgages \$46,000,000. This was done by the voluntary action of the creditors, many of whom no doubt realized that with changed conditions they could not hope, even through foreclosure, to obtain the full face value of their loans, and they willingly accepted the Government securities based on the new appraisal. In this manner the Farm Credit Administration is now making farm-mortgage loans at the rate of \$5,000,000 per day. Even though there is no increase in this ratio, which is likely as the organization begins to function more perfectly, this gives a total of probable loans during the next year of \$1,825,000,000 and takes no account of the easier situation borrowers from private agencies find as a result of this broad avenue of credit opened to them.

In addition to advances made on farm mortgages the Farm Credit Administration also provides credit on short-term loans at low rates of interest. It now has in operation something more than 650 production-credit associations, organized during last fall and winter, and they are now functioning in every county in the United States. These associations provide credit for farmers and stockmen until their products can be marketed, and already they have advanced \$27,000,000 with the certainty that this will be largely augmented during the coming summer and fall.

These loans are made on a strictly business basis; but since the Farm Credit Administration makes the discount services of the intermediate-credit banks available to such borrowers, the loans can be made at the rate of 5 percent, whereas many heretofore have been paying from 10 to 15 percent for similar services through private agencies.

I think we should not lose sight of the fact, Mr. Speaker, that these are all loans, legitimate loans, based on the best security in all this world—fertile farms and their products. We have heard much and will hear more during the approaching political campaign as to how the Federal Government is squandering untold millions of the people's money in socialistic schemes and half-baked enterprises. These plans will reach their crescendo just before the election and may fool some people who do not take the trouble to investigate. One of the agencies which will thus be an object of attack is the Farm Credit Administration. It will be labeled socialistic and the charge made that the Government is pouring money into a rat hole.

As I said before, these are honest loans on unquestioned security which are being and will continue to be repaid with interest sufficient for their amortization and the necessary carrying charges. They are self-liquidating, and no amount of breast beating can get us away from that fact.

Moreover, Mr. Speaker, they are not nearly so revolutionary as these critics would have us believe. Agencies similar to this one have been in existence in Denmark and Holland for more than a generation, and the prosperity of these little nations has been built up by this means. England, Belgium, France, Sweden, and Norway are among the more conservative nations which have undertaken to model their agrarian policies after those of Denmark and Holland; and, observing the success they attained, we are doing likewise.

With us, however, this is not wholly an untried experiment. The Farm Credit Administration was not called into being

by the much-maligned "brain trust." It has been an evolution, and I am proud of the fact that it was another Democratic administration, that of President Woodrow Wilson, which saw the inception of this program culminating in creation of the Farm Credit Administration. It was in 1916 that the Farm Loan Board was organized, then a division of the Treasury, and the first emergency seed, feed, and fertilizer loans were made to farmers by the Department of Agriculture during the Wilson administration.

The Republican Party, whose spokesmen are now so critical of our agricultural policy, was in power for 12 years, from 1921 to 1933. Did it do away with the Farm Loan Board? No, indeed; it did not. Just the reverse. It sought to expand that agency, gave it an independent status, together with millions of dollars, direct grants from the Treasury, with which to go out into the open market and seek to control agricultural surpluses by the purchase of millions of bushels of wheat and thousands of bales of cotton. It set up the agricultural credit corporations and farm-land banks in districts all over the land, as well as seed-loan offices in certain cities.

However, all this did not work. There was no cooperation between these loosely jointed organizations. They left the farmer baffled and confused, wound up in yards of red tape and restrictive regulations. It took an expert to tell to just what agency and where the needy farmer must apply for a particular type of credit sought.

The creation of the Farm Credit Administration cut the red tape. It provides for a complete and coordinated system, retaining the useful and discarding the useless features of those previous agencies. There is an administration organization in Washington giving supervision to all these facilities and regional units in each of the 12 farm credit districts, to which a farmer may apply for any form of credit to which he may feel he is eligible. Each of these regional units has four permanent branches; namely, a Federal land bank, an intermediate-credit bank, a production-credit corporation, and a bank for cooperatives. The policies of these four organizations are unified. They have one board of directors and one general agent.

The whole spirit of this organization is based on cooperation. Every borrower from whichever one of these agencies supplies the credit must be a stockholder therein. He subscribes to stock equal to 5 percent of his loan and thus becomes a part owner of the institution, having a voice in its management. Ultimately it is assumed that control of these institutions, these banks and corporations, will pass into the hands of the men who use them. Now they are partners with the Government which has advanced the initial funds with which to launch their activities.

There is one thing, Mr. Speaker, that cannot be stressed too strongly. It is the fact that the Farm Credit Administration is not loaning Government money. True, in a few instances some small advances have been made, but in the main these organizations are financed through the sale of their own bonds and debentures, secured by the farmers' notes and warehouse receipts. However, through the agency of the Farm Credit Administration the money required is obtained in the investment markets at the lowest possible rates of interest. These bonds have found high favor with the investing public and now command a premium.

Mr. Speaker, during my long years of service in this body with which the people of my district have so kindly honored me, I have often been considered conservative rather than radical. I believe thoroughly in the fundamental principles of our Government and the institutions built up under them by our fathers. But conditions change with the times. This is no longer the day of the stagecoach and the pony express. Our progress and communications now are by airplane and radio. We must meet the changed conditions as they come; and when I find all private avenues for farm credit dried up and men threatened with the loss of their homes and heritages to become wanderers upon the face of the land, I see no reason why the Federal Government should not be called upon to lend its aid. Home ownership and good citizenship go hand in hand, and together they offer the



best insurance against the spread of socialism and the radical ideas which for a decade have threatened to engulf at least one-half the civilized world. I want to do my part in preserving this Nation of free men, and I believe the Farm Credit Administration is a mighty instrument to that end. The best insurance for good citizenship is to insure the farmer and home owner, preserving his home.

#### COMPARISON OF FARM COMMODITIES FOR 1933 AND 1934

As the best possible evidence that the Farm Credit Administration and the farm-relief policies of President Roosevelt have borne fruit, I submit the following table of prices of some of the major farm commodities for March 15, 1934, as compared with the low prices for the same commodities March 15, 1933.

These comparisons are as follows:

Commodity	Mar. 15, 1933	Mar. 15, 1934	Increase
	<i>Cents</i>	<i>Cents</i>	<i>Percent</i>
Cotton.....pound..	6.1	11.7	91.8
Corn.....bushel..	20.6	47.1	128.6
Oats.....do.....	13.7	33.9	147.4
Barley.....do.....	18.3	43.7	138.8
Wheat.....do.....	31.5	70.9	105.5
Rye.....do.....	22.8	53.1	132.9
Potatoes.....do.....	39.0	92.0	135.9
Apples.....do.....	70.3	11.04	47.4
Cottonseed.....ton..	19.22	120.84	126.0
Hogs.....hundredweight..	13.22	13.88	20.5
Beef cattle.....do.....	13.42	13.79	10.8
Eggs.....dozen.....	10.1	14.4	42.6
Butter fat.....pound..	15.1	23.5	55.6
Whole milk.....hundredweight..	11.10	11.50	36.4

<sup>1</sup> Dollars.

All farm commodities advanced, on the average, 52 percent from March 15, 1933, to March 15, 1934. In contrast to this all commodities that farmers buy advanced only 20 percent during the same period and the farmer's purchasing power, therefore, increased 26 percent.

In addition to the increased prices now being received for farm products as compared to the prices that were received a year ago, farmers who cooperate with the Agricultural Adjustment Administration will receive during the years 1933, 1934, 1935, and 1936 rental and benefit payments estimated at \$1,003,600,000. (Data from U.S. Department of Agriculture.)

#### HEAVEN OR HELL IN THE NEW DEAL

Mr. HOEPEL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOEPEL. Mr. Speaker and Members of the House, as the Congress is about to adjourn without having enacted adequate legislation to provide employment for our millions of distressed citizens, I feel it my duty to call attention to actual conditions existing in my own district and county. Official reports show that more than 431,000 persons in Los Angeles County are on public relief. These figures do not include the hundreds of thousands of other individuals who are on part-time employment and the additional thousands who are being maintained through private charity or who are being assisted by their relatives, who, likewise, find their resources rapidly diminishing.

Pending the determination whether or not the experiments in the new deal will be effective, I suggest that Federal relief appropriations be doubled over the President's recommendation. We cannot afford to permit human misery to continue to exist among our people, inasmuch as we have it within our power to grant them additional relief.

As we are engaged in a war on depression, we owe it to ourselves to expend every farthing of our resources for our own citizens, considering how liberal we were during the World War, from which we emerged with our allies and the war profiteers as the sole beneficiaries. Billions for relief and succor to our own citizens is more important to me than billions, plus hundreds of thousands of lives, sacrificed under the guise of making the world safe for democracy, when the truth is we have made it safe for dictatorships such as are personified in Hitler, Mussolini, and Stalin.

The Secretary of the Interior, Mr. Ickes, in an address before the Presbyterian assembly, is quoted as saying that the new deal is based on the fundamental tenets of Christ, and that "the new deal is an opportunity to the Christian church." He further states that "we can make of this life a veritable hell."

I agree with Mr. Ickes in his statement and here offer a suggestion to free the American people from the "veritable hell" into which the international bankers have cast them, through their control of finance and credit. The Secretary speaks of "fools dwelling in air castles in a fool's paradise", which prompts the question whether or not he himself may not be said to be dwelling in an air castle, indicated by his failure to recognize and quote the tenets of Christ expressed in His condemnation of hypocrites and money changers. The only time that Christ is mentioned as having expressed His anger and resentment in a physical way was when He drove the money changers from the temple.

The new deal will never be a success, except in a transitory and partial way until we, in America, drive the money changers from the temple; that is, until we, through the Congress, exercise the authority granted in our Constitution and coin money, regulate the value thereof, and extend credit direct to the individual. As long as we permit the private monopolistic control and coinage of money, we, as a people, will continue to pay unnecessary tribute to this special, select group which is the exact counterpart of the type Christ drove from the temple. We, as Americans, will not attain complete economic salvation in the new deal or any deal until we are freed from the financial domination of the plutocratic groups which amassed their wealth principally through inheritance, the fruit of exploitation of our natural resources by their forefathers, or through the usurpation of special privileges.

#### PROGRESS BEING MADE IN THE NEW DEAL

No one can deny that our Nation is marching forward hopefully under Roosevelt, but, in the opinion of many Congressmen who have actively supported the new deal throughout, we have as yet accomplished very little for the permanent rehabilitation of trade and industry in America. We Democrats have as yet not fought a pitched battle. We have won innumerable skirmishes, such as gold devaluation, the reciprocal tariff, and the impending silver legislation, plus other features of a lesser beneficial nature too numerous to mention here, but as yet the basic causes and results of the depression have not been attacked.

While we have made progress with the P.W.A., C.W.A., and F.E.R.A., such progress has been a costly victory because of the fact that we have added approximately \$7,000,000,000 of additional indebtedness to the burden of the present and future citizens of America. We cannot borrow our Nation into prosperity. We have, however, within reach every facility to solve our economic problem. Despite the advantages which would accrue to the people, the President has not yet evinced a desire to eliminate the "privately owned" Federal Reserve Banking System by the establishment of Government control of our banking structure for the well being of all Americans.

#### THE ROOSEVELT SPECIAL

By analogy, the new deal, with its problems, appears to me somewhat on the order of a railroad train. We have thrown out, and that rightly, the tried-and-found-wanting principles of the Republican Party, with its policy of inaction and waiting for prosperity to come around the corner. We have taken aboard as master engineer the courageous, honest, and sincere Roosevelt. Since that auspicious day of March 4, 1933, our railroad train, with Roosevelt as engineer, has moved forward, but because of the inordinate load of public and private debt which has oppressed and which continues to oppress the American people, both as to principal and interest, the journals of our coaches have developed one hot box after another. The two methods available to railroad men in eliminating the hot box have not been adopted. We should either reduce the load of public and private indebtedness and interest which is weighting down the coaches or we should utilize the oil of Government credit through nationalization of banking in



order to eliminate the hot box of depression. Instead of following either of these procedures, we have followed the old-deal methods and are continually pouring the water of high-interest-bearing, tax-exempt securities on the red-hot journals, which only temporarily relieves the overheated bearings. We appear oblivious of the fact that this increased indebtedness adds weight to the vehicle, and the hot box becomes hotter as we proceed.

Traveling with the Roosevelt special as crew is the Congress of the United States which appears to have abrogated its legislative power by permitting the "brain trusters" in the Administration—appointed officials—to write and present legislation of their choice to the Congress for enactment. The new-deal special, despite the handicap of the issuance of tax-exempt securities to cool the bearings, proceeds forward, but not directly along the main line as it should. It is diverted from time to time to a side track, suggested by a "brain trust" experimenter who, through the experience gained in the classrooms of privately endowed schools wherein the capitalistic attitude was continually absorbed, appears to consider that he thoroughly understands the problems of the universe and the method of reaching utopia.

#### CAPITALISTIC SYSTEM FAULTY

There is no criticism of the capitalistic system, provided it is modified to give the producer, as well as the consumer, a more equitable share of the profits of labor. The "brain trusters", no doubt, are sincere according to their lights, but lacking actual experience and intimate contact with labor and with the problems of the common man, they radiate their influence, perhaps unconscious that the shadow of Wall Street envelops them. We need more practical men rather than theorists to advise the President. Traveling forward, the President's advisers, perhaps innocent of the influence which has contorted their viewpoint, fail to take cognizance of the red lights ahead, which we find indicated in the increasing strikes, the continued unemployment situation, and the criticism of various groups which are dissatisfied with the progress thus far attained.

I have voted for every measure which has been presented as an Administration measure, with the exception of an increased tax on liquor and the granting of authority to the privately owned Federal Reserve banks to coin money on securities and collateral of questionable value. This latter measure, in my opinion, is in direct contravention to the precepts of the Constitution, as in our democratic form of government no private financial group should have the right to coin money at the mere cost of printing and lend such money to the private citizen at an exorbitant rate of interest.

While I opposed some of the so-called "Administration measures" in the special session, I have had the pleasure of noting that the Administration and the Congress have reversed themselves on at least three fundamental bills which were enacted in the special session, thus vindicating my position in opposing these bills.

It is my sincere hope, in the interest of our distressed citizens, that the President will cast out some of his economic advisers—Baruch and others, with the Wall Street taint—and that he will not permit our vehicle of progress, the new deal, to be side tracked further by additional experimentation.

Having the fullest confidence in the President, I feel that he will exercise the authority granted to him in the reciprocal tariff legislation to advance the interest of the American agriculturalist and manufacturer through barter or trade agreements.

#### NATIONALIZATION OF BANKING ESSENTIAL

I look forward to a recommendation from the President which will assure to the American people the financial freedom granted them under the Constitution through the absorption by the Government of the private banking structure in the nationalization of banking. If the Government would take over the banking structure and extend credit to the citizens at the rates of interest now charged by the private bankers, there would be practically no necessity for

any further Federal taxation except through inheritance, estate, and gift taxes, and, if necessary to keep the Budget continually balanced, an income tax for those in the higher income brackets.

In the event of nationalization of banking and the extension of credit direct to the individual, another tremendous advantage to the citizen would be the extension of such credit at cost, or in no case at more than 1 or 2 percent. The American people today pay approximately from \$12,000,000,000 to \$15,000,000,000 annually in interest to private bankers and to the money hierarchy. With credit at cost, or even at the low rate of 1 or 2 percent, the citizens would save directly approximately the amount which today they pay as tribute to the financial barons. With this increase of purchasing power saved to the American people, our economic problem would be practically, if not completely, solved.

#### SILVER REMONETIZATION HELPFUL

While I am an advocate of the remonetization of silver, I am convinced that remonetization of silver is not vitally necessary to our economic rehabilitation, provided the Government will take over and nationalize all banks. The mere fact, however, that the Bank of England and the international bankers of Europe and Wall Street are so much opposed to the remonetization of silver is conclusive evidence to me that remonetization on the part of our Government would be in the interest of the people.

England is today profiting to the tune of hundreds of millions of dollars annually due to our devaluation of the gold dollar, because of the fact that England produces 73 percent of the gold of the world. As the Americas produce 75 percent of the silver of the world, it is self-evident that the remonetization of silver will add to the wealth of the Americas and stimulate trade between them and the 31 silver-standard nations of the world. There is absolutely no danger of inflation in silver remonetization. The total available silver in the world is far less than 12,000,000,000 ounces, which amount, distributed in the channels of international trade, is infinitesimal compared with the bank credit in the United States alone (with no value except the bankers' promise) which, in 1929, approximated \$40,000,000,000.

The principal advantage offered by silver monetization is that the private banker cannot manipulate the amount of actual money in circulation if we have a bimetallic standard of gold and silver. Under the single gold standard and with the control of all moneys and credits resting in the hands of the "private" Federal Reserve System, these "banksters" can expand or contract the volume of currency in circulation at will through the purchase or sale of Government bonds and lately through the purchase or sale of collateral of dubious value, such as the R.F.C. accepted in extending aid to the Dawes bank of Chicago, whereby the defunct Insull securities were accepted at face value for cash from the Treasury.

If we have a circulating medium of both gold and silver instead of gold and paper, as we have today, the private banking groups cannot take this silver out of circulation as they do paper money by destroying it. If they should withdraw silver from circulation, they would lose the interest accruing to them, which any fair-minded man knows the New York banking buccaneers would not forfeit.

We should further consider the fact that the present Government policy of borrowing on its own credit from the "privately owned" Federal Reserve System is making misery for the masses while, at the same time, it is a veritable harvest for the rich. The printing of paper money by the "privately owned" Federal Reserve System creates no values at all. The remonetization of silver will stimulate mining and thus help relieve the unemployment situation. By establishing suitable values for silver, such as we have for gold, we will have tangible assets which are indestructible and thus add to our permanent circulating currency. The Government today has established a standard value for silver bullion. The Administration is to be commended for this pronounced progressive step.



## UNIFORM SILVER PRICE ATTAINABLE

Importations of silver bullion could carry an impost tax of sufficient amount so that in no event would the actual price of such silver be less than the price of American-mined silver. Under the present Government standard of 64¼ cents per ounce for domestic silver bullion, the Government could coin silver and establish for such silver dollars a value of \$1.29 per ounce, thus giving a 100-percent profit to the

Treasury for every ounce of domestic or imported silver bullion.

Foreign silver coins in the international channels of trade should be accepted reciprocally at their face value or by agreement at a value of \$1.29 per ounce. This would stimulate trade with the silver countries, and because of the fact that the United States produces at least 25 percent of all silver mined and the Americas produce 75 percent of all silver mined, the control of international currency would pass to the Americas. Under the present gold standard the control of international currency rests with Great Britain, the leading gold-producing country of the world.

Under this procedure, the profits accruing to the Government in the coinage of silver at the value of \$1.29 per ounce could be applied wholly in the interest of public works or direct credit to the individual, and thus lubricate the wheels of industry and commerce and start our Nation forward to a permanent prosperity in which all the people would share rather than merely a small banking hierarchy in the Wall Street group.

The threat of uncontrolled inflation would be effectively removed through the nationalization of banking and the adoption of a bimetallic standard. There would be no further necessity for the issuance of tax-exempt bonds which, as the name implies, continue to put the American taxpayer in increasing bondage. Interest on money is a direct tax on industry and should not be permitted to any agency except the Government itself.

It is my sincere hope and belief that our President is striving toward this objective, and I am convinced that if he would suggest this plan either to the Congress or to the American people, he would find an almost spontaneous acceptance of this principle. In history and in the hearts of the American people he would hold a place equal, if not superior, to that of Washington or Lincoln. Lincoln freed the individual from chattel slavery. May we trust and pray that Roosevelt will free the free-born, worthy American from the slavery of the private money ring whose success is dependent entirely upon periodical depressions which it engineers in order to entrench itself more firmly in its ill-gotten wealth at the expense of the unfortunate citizen who is caught in the maelstrom of its machinations.

## NEW-DEAL OBJECTIVES

Notwithstanding the fact that the nationalization of banking and the remonetization of silver are the backbone of our economic recovery, there are other features which should be adopted in order to brighten the lives and provide for the future welfare and prosperity of our citizens. The machine age has aggravated the employment problem of the worker in practically every avenue of industry. The profits of the machine are absorbed by the patentee or manufacturer. The number of workers has been reduced to the barest minimum, without a compensating increase in pay, with the result that millions who were heretofore employed have been displaced entirely and are now without employment.

Various socialistic panaceas have been advanced to correct this situation but it is doubted whether any idea yet advanced would measure up in practical importance to the proposed 30-hour week. It is self-evident that any effort on the part of the Government to place the entire industry of America on an arbitrary 30-hour-week basis would disrupt our industrial life and perhaps be a menace to recovery, if it would not entirely defeat the objective. The small business man must be protected against the encroachments of the larger interstate monopolies and chain stores.

The N.R.A. has encountered these same difficulties because of being too comprehensive and therefore is being subjected to criticism, notwithstanding that it has some outstanding features which should be retained as basic reform.

I would favor the adoption of a 30-hour week in the basic interstate and international industries, including the railroads, in order that more men may be employed without a diminution of salary which should be maintained at all times at the highest possible standard. The Steel Trust, the railroads, and other basic industries, which are highly overcapitalized and which are endeavoring to pay inordinate profits on their watered valuation, should be submitted to a physical revaluation and their incomes adequately checked to ascertain their ability to pay a saving wage to their employees.

Capital is entitled to a fair return on its real, physical valuation—that is, on the actual cost of duplication of the industry. If profits were predicated on this basis, capital would be in a position to pay a just wage to its employees under a 30-hour week and, at the same time, more men would be absorbed in industry. The taxpayer would thus be relieved of the burden of public relief, abhorred by the worker himself, as is evidenced in his appeals to his Government for remedial legislation which will give him the opportunity of earning his daily bread.

## INTERESTS OF YOUTH AND AGED PARAMOUNT

While I am very solicitous in behalf of the aged, I am equally, if not more, solicitous in behalf of the youth of America who, under the present engineered depression, are stunted in their economic and social development. As the future of America rests in the hands of its youth, every facility and encouragement should be extended to them in order that they may take upon themselves the responsibilities of parenthood and become satisfied, useful, prosperous, and optimistic citizens.

Our educated young people are especial victims of the depression, and because of their higher degree of sensibility and understanding, their brave buoyancy of spirit under the adverse conditions which confront them is particularly commendable. While hope may spring eternal, it is my opinion that we owe it to the youth of our Nation to reward their hope and confidence in government by the adoption of laws which, in the most expeditious manner, will relieve them from the unfortunate plight in which they now find themselves.

As the United States today is paying almost \$1,000,000,000 every year in interest to the coupon clippers of Wall Street on tax-exempt securities, I can see no reason why we should not expend sufficient funds to pension and brighten the lives of our aged citizens who are unable to provide for themselves. The public records will show that it would actually be an economic asset to our Nation to provide adequate pensions for our aged citizens. Many States have recognized this axiom which is especially applicable in the case of husband and wife who, in too many instances, because they are unable to provide for themselves, are torn from each other in their last days—and we call ourselves civilized!

Many other innovations of a helpful character could be mentioned but my time is too limited. Before concluding, however, I do wish to call attention to another question which demands prompt action. Believe it or not, under the new deal we have 42 additional bureaucracies, each of which is an added weight on the backs of the taxpayers, considering the high salaries paid to many of the Government employees.

Consolidation was on the agenda of the Republican Party, and is also on the agenda of our own party. As yet, however, we Democrats have failed to consolidate various permanent departments in government, and as a consequence the taxpayers continue to suffer. The profiteering politicians and the selfish individuals in government have, up to this time, frustrated consolidations which, with doubt, should save millions upon millions to the taxpayers. I shall merely mention one consolidation of many which could be effected economically and in the interest of increased ef-



iciency. The Navy, Coast Guard, Coast and Geodetic Survey, Lighthouse Service, and Army Transport Service should be consolidated under one head. These agencies are all within the same category and pertain to shipping and the sea. As a typical instance of losses to the taxpayers, we find in some cities each of these agencies paying rent for or owning docks and other sea appliances, while, if consolidated, all might utilize the same facilities.

As another evidence of the political hold of the profiteer on our Government, we find that the Navy Department, after selecting outstanding young men in America for the Naval Academy and educating them at a cost to the taxpayers of at least \$16,000 each, is under present laws retiring many of them in perfect physical condition, with high retired pay for life, merely because they have not been selected for promotion.

We already have 182 of such physically fit officers on the retired list at a cost to the taxpayers of \$668,000 annually. Instead of utilizing these educated men as they could be utilized in the Lighthouse Service, Transport Service, or for shore duty, they are retired to civil life with high pay and immediately enter other governmental departments or private pursuits, taking jobs from worthy citizens, and they continue to receive their retired pay plus their Government or civil remuneration.

#### BUREAUCRACY ABSORBS LIFELOOD OF NATION

Washington, D.C., with its myriad of bureaus, many of them absolutely unnecessary because of duplication, is in a sense a sponge which is absorbing the economic life of our Nation. The poor farmer or worker who has a mere pittance of income would be dismayed could he but visit Washington and note the large numbers of individuals receiving fabulous salaries who spend hours at a time in their offices smoking and entertaining, utterly oblivious of the desperate plight of the people on the farms and in the industrial centers of America who are being unduly taxed to support them.

Washington is filled with cheap politicians and lobbyists, who find the new deal a profitable deal for them. Senior Members of Congress have told me that never in their experience have they witnessed anything of the nature which I here only partially describe. The high-class apartments are filled with this easy-money gentry, who cannot visualize, and many of whom do not care to visualize, the desperate plight of our suffering unemployed. Verily, I may say that we also need a new deal in the city of Washington in the various bureaus which are choking the lifeblood of the people through their inordinate extravagance.

Finally, since I have mentioned the new deal, I may say that there is no hope for America in the ghost of republicanism. I am confident that we will march forward to ultimate success in the new deal. This happy solution will be ours with permanency once we utilize the constitutional provision for coining money, regulating the value thereof, and extending credit directly to the citizens without the intermediary of the "private" Federal Reserve System.

#### MEMORIAL DAY ADDRESS

Mr. LEHR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by publishing an address by my colleague [Mr. MUSSELWHITE].

The SPEAKER. Is there objection?

There was no objection.

Mr. LEHR. Mr. Speaker, under the leave to extend my remarks in the RECORD, I desire to include the following address delivered by my colleague Mr. MUSSELWHITE at Muskegon yesterday, Memorial Day:

Mr. Chairman, ladies, and gentlemen, permit me first to assure you of my very deep appreciation of the honor shown me by inviting me to participate with you in the observance of this Memorial Day. I am not unmindful of this honor any more than I am aware of the regretted fact that due to the stress and demands upon one's time incident to the gigantic legislative program which is being rushed through the American Congress, I have been unable to give the time and attention to preparation that your courtesy on this occasion justifies.

Today, under auspices of all veterans' organizations of Muskegon, we are assembled to pay homage to our soldier dead. We bow our

heads in sorrow for those who have gone on the "great adventure." We mourn the loss of those who, seeking the "bubble reputation at the cannon's mouth", have gone through the valley of the shadow of death. The men of Michigan have earned enviable praise and esteem for gallantry under fire and for bravery under trying conditions. But such bravery and such courage is paid with a terrible toll. The price is dear. When rank upon rank stand their ground with unblanched faces against withering fire, then jealous death spreads its encompassing wings around many a loved lad.

We do well to honor these men who have laid their lives upon the altar of liberty and patriotism. Appomattox, Chancellorsville, Bull Run, Manila Bay, San Juan Hill, Flanders Field, Belleau Woods, St. Mihiel, Argonne, are names written on the hearts of all Americans. Yet the signs and evidences of battle at those historic places may have gone.

The trenches and breastworks that gave our men a measure of protection may now be leveled by plow or tractor. The little streams that were dyed with blood from soldier hearts may now slake the thirst of lowing kine. Wheat or barley may cover the level which battle bathed in blood. The sciences of war have given way to the arts of peace. Where was carnage and destruction and ghastly death is now peaceful industry and quiet husbandry. Thank God that it is so, and pray God that it may remain so.

Though the battle wounds be healed the scars cannot be obliterated. The memories that are ours today of what "our boys" did in the War of the Rebellion and on foreign soil impinge on our very souls. They fought a haughty foe and wiped out their foul footsteps' pollution. As the immortal Lincoln said at Gettysburg: "The world will little note nor long remember what we say here, but it can never forget what they did here."

As a Member of the Congress of the United States, it has often occurred to me that when legislation is being enacted in this present strife, I wonder if, after all, we are as appreciative, as grateful as we should be to those heroes who so valiantly fought the Nation's battle in the recent World War and our other wars. May I digress here to state in passing that the apparent injustices which were threatening to result to our veterans from certain legislation have been to a considerable extent righted? And I am glad to inform you that I voted for every constructive measure designed to benefit deserving war veterans, whether they be of the Grand Old Army of the Republic, the Spanish War men, or the veterans of the World War. I say this as one who in this great crisis in the life of this Nation has steadfastly and consistently as a Member of the Congress supported the President, the Commander in Chief, in his war against the depression. With a love for the cause of the veterans of all wars surpassed only by the love and devotion which I harbor for my own immediate family, I have reason to believe, after discussing these matters with leaders of the House and high officials authorized to speak for the President, the present occupant of the White House, that he has a heart as full of gratitude and sympathetic understanding as it is of courage and devotion to country, and that he will take steps to see that no deserving veteran is slighted or uncared for.

On this Memorial Day I have left my desk in Washington to gather with you to pay tribute to the heroes of 1861 who held our Nation together; to those who gave their lives for us in the Spanish-American War in 1898; and to those who went to the front in 1917 and saved the world for democracy.

Everywhere throughout the Nation our citizens today are voicing their tributes of respect and affection in fond memory of those who in the discharge of duty paid the supreme sacrifice. You citizens who have gathered here today would, were it possible, broadcast throughout the land the deep feeling of honor and reverence which is due every American who dies for his country; but we are here today to pay tributes to our own, to voice our appreciation and devotion to those Michigan boys who went forth in 1861, in 1898, and in 1917.

Possibly some are here today who remember the call to arms in 1861. Many of us recall the mustering of troops in 1898, but all of us remember the call that went flashing over the land in 1917, the declaration that a state of war existed between the Imperial German Government and the peoples of the United States.

Our hearts swell with pride at remembrance of the prompt response of our own Michigan boys. In the ranks of the Army and on ships of the Navy were sons, brothers, husbands, fathers; none were more fearless; none were more loyal; none had a deeper love of country; and none were more loyal or more loved than your own boys of Muskegon. Cheerfully, willingly, they entered the combat against the common foe; manfully and unflinchingly they endured the hardships and rigors of war. These men not only lived for our Nation, they died for it. They were our brothers, our friends, our neighbors when peace prevailed, but when the hour of national peril came these quiet, peace-loving citizens were transformed into heroes. From the sphere of the citizen they rose to the plane of the patriot.

We cannot add to the glory or honor or renown of those whose death saved for us our country. We cannot make sacred the ground wherever they lie. We may adorn with tender, loving tributes the resting places of our beloved dead; the flowers that are strewn over their graves may symbolize the living fragrance of their memory. But we shall honor them most by having their example teach us to love our country more, to prize its manifold blessings more, and to advance its glory and greatness more. These brave men stand in history and in the hearts of a grateful people where you and I may never stand. It was to save the flag



from dishonor, the world and the Nation they loved from destruction that they gave their lives. Of the millions that engaged in the great conflict some lived to see the victory for which they periled so much, and returned in health and strength to receive honor and praise from a grateful people. Many, too, returned maimed and sick, but living to see the land they loved redeemed, to realize the Nation's gratitude, and to be welcomed once more to the bosoms of loving friends. But those we mourn today passed away before the hour of triumph, in the darkness of the night before the bright rays of the morning came. Some sleep at home beneath the canopy of Heaven in their own beloved land, while others lie in scattered graves in foreign fields, each resting from his fierce toil. It is to them we scatter wreaths and flowers; for their loss we shed our tears.

My deepest sympathy goes out today to the mothers throughout the land whose aching hearts feel the keen pang of the thought of lost sons, to those whose thoughts are of lost brothers, husbands, and fathers who went forth in defense of our honor and did not return. Let us, the survivors, then appreciate our destiny and above all, let us never forget that to these brave defenders in the hour of the Nation's deadly peril and under a Divine Providence we owe the blessings we enjoy today.

And you who reap the benefit of these sacrifices, whether you share them or not, never forget to hold in grateful remembrance the deeds of those who fought and bled in our country's cause.

Because of the courage of these men our honor is unimpeached, and this flag, which I now have the pleasure of presenting to the veterans' organizations of Muskegon, this flag which has flown over the National Capitol, and by special favor over the White House, and which I was fortunately able to secure for you—continues to fly in undisputed supremacy, respected in every land. And may peace, prosperity, and happiness abide with it.

If we are to show our true appreciation of the sacrifices these men made for us, we must with renewed effort uphold the traditions that made ours a Christian Nation. We must remain steadfast and true in upholding the Constitution of our country and the honor of the flag we love so well.

And what lessons we may read in that flag. Its white teaches us purity of purpose; its red typifies the blood which has so often been shed in its defense; and its blue, that its constellation reminds us of the starry canopy of heaven, behind which is the eternal camping ground where the pure and good, when discharged from service here, are mustered into the mighty army of saints who guard the throne of the Most High God.

And thus as we bare and bow our heads to the heroes' honor on this commemorative day, may we appreciate more everywhere those priceless privileges for which they sacrificed all they had—home, happiness, and life.

In conclusion, my friends, I wish I might pay individual tribute to some of your city's highly honored heroes, such as Merritt Lamb, for whom your American Legion Post is named; and to all the venerable gentlemen who survive from the days of the Civil War; the Spanish War veterans, and those of the younger generation who fought for us, suffered for us, and, all too many, died for us in the World War. Time will not permit such digression.

And may I, without impropriety, say a word for that great humanitarian organization, the American Red Cross, which is working so zealously in your interests. Muskegon is fortunate in having a chapter of this organization under the capable administration of Helmer Berg, to whom I pay tribute, and who I particularly wish to thank for extending to me the invitation to speak on this occasion.

This is a day when political lines are forgotten; it is a day when community interests are welded together as one; a day when ancestry fades away, leaving none but Americans; a day when rich and poor alike bow in meek humility; a day when religious differences cease to exist as we pay tribute to those of all bloods and all creeds who, mindful of the supreme sacrifice on Calvary, proved true to His divine idea of patriotism when He proclaimed: "Greater love hath no man than this, that he lay down his life for his friends."

I thank you, my comrades and friends.

#### THE PRIVATE CALENDAR

Mr. BYRNS. Will the gentleman from Kansas reserve his point?

Mr. McGUGIN. I reserve it.

Mr. BYRNS. Mr. Speaker, I ask unanimous consent that it be in order tonight to move to take a recess until 7:30 o'clock for the purpose of calling the Private Calendar and considering bills unobjected to, beginning where the House left off the last time.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, that gives us no opportunity whatever to make special preparation for this night session other than the general preparation we have already made. We ought to have at least a day's notice of a night session devoted to the Private Calendar. The Member who has a bill on the calendar does not need notice, but those who work on the calendar to stop bad bills and have to prepare themselves should have at least a day's notice. Does not the gentleman think he should ask this

for tomorrow night instead of tonight? Some of us have made appointments for tonight in our offices.

Mr. SNELL. The gentleman wishes to keep his social engagements.

Mr. BLANTON. Social engagements have no interest for me. Since I have been here in Congress it has been nothing but hard work, day and night.

Mr. BYRNS. Mr. Speaker, I will change my request for Friday night.

Mr. SABATH. Many of us have engagements for tomorrow night.

Mr. BLANTON. Well, if there is to be objection to that, I withdraw my objection to the request of the gentleman from Tennessee. I am willing to follow my leader, regardless of personal inconvenience.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that it shall be in order to move to take a recess until 7:30 o'clock tonight for consideration of bills on the Private Calendar unobjected to, beginning at the star. Is there objection?

There was no objection.

Mr. McGUGIN. Mr. Speaker, I renew my point of no quorum.

The SPEAKER. Evidently no quorum is present.

On motion of Mr. BYRNS a call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 153]

Abernethy	Clark, N.C.	Kvale	Simpson
Allgood	Cochran, Pa.	Lehlbach	Sisson
Andrew, Mass.	Connery	Lesinski	Smith, W. Va.
Auf der Heide	Cooper, Ohio	Lewis, Md.	Stokes
Bacon	Darden	Lloyd	Strong, Pa.
Bailey	Delaney	McDuffie	Sullivan
Beck	Doutrich	Mariand	Sutphin
Black	Drewry	Millard	Sweeney
Boland	Eaton	Moynihan, Ill.	Swick
Boylan	Edmonds	Muldowney	Taylor, S.C.
Brennan	Fernandez	Musselwhite	Thom
Britten	Foulkes	Norton	Thurston
Browning	Gambrill	O'Connell	Truax
Bulwinkle	Gasque	Oliver, N.Y.	Turpin
Burke, Calif.	Green	Peterson	Vinson, Ga.
Burnham	Haines	Prall	Wadsworth
Carley	Hamilton	Randolph	Weaver
Carter, Calif.	Harter	Reid, Ill.	Weideman
Cary	Healey	Richardson	Werner
Cavicchia	Higgins	Rogers, Okla.	Wilcox
Chase	Jeffers	Sears	Wood, Ga.
Church	Jenkins, Ohio	Shannon	Zioncheck
Claiborne	Kniffin	Shoemaker	

The SPEAKER. Three hundred and thirty-nine Members have answered to their names, a quorum.

Mr. BYRNS. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

#### SILVER

Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN of Colorado. Mr. Speaker, due to my occupancy of the chair yesterday in Committee of the Whole, an honor I deeply appreciate, I could not properly participate in the rather acrimonious debate on the silver bill on which we are about to vote. I heard gentlemen whom I know to be sincere friends of genuine silver legislation, and gentlemen who are opposed to such legislation, bitterly assail or deride this bill on the ground that it is an empty gesture or a mere sop to silver. I know other Members who are in doubt as to the benefits of this legislation and as to how it will be administered. I just want to say this, that if this bill becomes a law and the administration of it goes as far as the law, that will be far enough, but if the administration of this law does not go that far, then there will be another Secretary of the Treasury going back to little old New York. [Applause.]

The SPEAKER. The time of the gentleman from Colorado has expired.



Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent to proceed for 10 seconds more.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN of Colorado. Mr. Speaker, I ask all Members who favor a reasonable expansion of the currency on a sound metallic base to vote for this bill, and let us see where we go.

I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN of Colorado. Mr. Speaker, due to my occupancy of the chair yesterday in Committee of the Whole, an honor I deeply appreciate, I could not properly participate in the rather acrimonious debate on the silver bill on which we are about to vote. I heard gentlemen whom I know to be sincere friends of genuine silver legislation, and gentlemen who are opposed to such legislation, bitterly assail or deride this bill on the ground that it is an empty gesture or a mere sop to silver. I know other Members who are in doubt as to the benefits of this legislation and as to how it will be administered. I just want to say this, that if this bill becomes a law and the administration of it goes as far as the law, that will be far enough, but if the administration of this law does not go that far, then there will be another Secretary of the Treasury going back to little old New York. I ask all Members who favor a reasonable expansion of the currency on a sound metallic base to vote for this bill, and let us see where we go.

#### SILVER SPECULATORS AND HOARDERS

Mr. Speaker, if I could have come down out of the chair, I should have liked particularly to answer some of the objections to the bill made by Members in debate on the floor, and I shall take the opportunity now to discuss a few of them. The able gentleman from New York [Mr. TABER] read some names from the list of silver holders furnished to the Senate by the Secretary of the Treasury, and he was followed by a Member who stated that he was for the remonetization of silver until the disclosure of these lists by the Secretary of the Treasury.

The silver survey made by the Secretary of the Treasury to ascertain the quantity of silver holdings in the United States is a surprisingly strong corroboration of the claims made by bimetalists that vast quantities of silver are not available in the event of the passage of a genuine silver remonetization bill.

A tabulation of the lists of silver holdings submitted to the Senate by the Secretary of the Treasury as reported by the Associated Press amounts to less than 100,000,000 ounces. In view of the prospects of major silver legislation by this Congress, three times this amount of accumulated silver holdings would not have disconcerted the supporters of silver. It is only natural that the prospects of such legislation should have attracted silver to this country, just as the gold-purchasing program has attracted gold. The surprising thing is that the quantity of available silver at this time is not very much greater. The investigation of the Secretary of the Treasury may be dismissed as a water haul.

The great question which has revolved around silver has been the silver supply. The greatest handicap to the attempted rehabilitation of silver has been the picture built up in the mind of the country and in the mind of the world that silver is an overly plentiful and cheaply produced metal. I made a radio talk devoted exclusively to this subject on March 9, the result of considerable study of reliable statistics. These statistics show that these great supplies of silver do not exist. When men base their opposition to this legislation on this expressed fear, they shut their eyes to all the facts to be had on this subject. It was stated in a sentence by Mr. F. H. Brownell, chairman of the board of the American Smelting & Refining Co., which handles three-fourths of the silver output of the world, when he stated to the House Committee on Coinage, and I quote his exact words:

At the present time you could not get a billion ounces of silver to save your life—I say, to save your life.

The Secretary of the Treasury will now have in his hands the decisive means of determining the silver supply, its alleged availability and cheapness.

#### DEATH BLOW TO GOLD STANDARD

The very able gentleman from Pennsylvania [Mr. McFADDEN] opposes this legislation on the ground that it had its origin in Great Britain. I have here in answer to that charge an item that gives me a lot of satisfaction. It adds to my pleasure in voting for this bill. It is in the shape of an Associated Press cable from London, picturing British financial circles as being thrown into gloom by it. The cable is as follows:

#### BRITISH FINANCIERS FROWN ON SILVER SUCCESS

LONDON, May 23.—British financial leaders were pictured in well-informed quarters today as being highly alarmed by the prospect that President Roosevelt's silver-monetization program will blast their hopes for the return of Great Britain to the gold standard in the near future.

Despite the nonchalant attitude they assumed toward the American President's message, financial circles were pictured as being thrown into gloom.

"Financial leaders here have been hoping for some time that President Roosevelt would head off the silverites so there would be no further steps in the direction of world-wide bimetalism", said a well-informed observer.

"Roosevelt's capitulation to the silverites will only give new impetus to the two-base currency movement, which the British distinctly do not want. If bimetalism becomes popular it may be good-bye forever to the gold standard."

Opponents of this legislation have indulged in much derogatory speculation as to the origin or authorship of the bill. This cable makes it quite clear where it did not originate, and the same may be said of the entire Roosevelt monetary policy. England is just about as responsible for the Roosevelt monetary policy as it was for the Declaration of Independence, and in the same way.

The British reaction to this legislation is not surprising in view of the fact that the world's first great banking house, established in London, was the author of the single gold standard. Its very origin is enough to condemn it in the minds of thinking people as a standard for the money of the people. Since when was any great banking house concerned in a plentiful, cheap money?

The first great banking system did not invent a monetary system for the benefit of the people, with which it was doing business and out of which it was making money. This is self-evident. Yet this is the system that has spread over the world and which is today strangling it, producing the misery which was predicted by John G. Carlisle on the floor of the House of Representatives on February 21, 1878, when discussing the demonetization of silver in 1873. More than a half century has elapsed since the great Kentuckian delivered the prophecy which is reflected in the condition of the world today, and since the language of the prophecy is a philippic perhaps without equal in the annals of debate on this question, I shall favor the Membership of this House by quoting it here. Mr. Carlisle said:

I know that the world's stock of the precious metals is none too large, and I see no reason to apprehend that it will ever become so. Mankind will be fortunate indeed if the annual production of gold and silver coin shall keep pace with the annual increase of population, commerce, and industry. According to my view of the subject, the conspiracy which seems to have been formed here and in Europe to destroy by legislation and otherwise from three-sevenths to one-half of the metallic money of the world is the most gigantic crime of this or any other age.

The consummation of such a scheme would ultimately entail more misery upon the human race than all the wars, pestilences, and famines that ever occurred in the history of the world. The absolute and instantaneous destruction of half the entire movable property of the world, including houses, ships, railroads, and all other appliances for carrying on commerce, while it would be felt more sensibly at the moment, would not produce anything like the prolonged distress and disorganization of society that must inevitably result from the permanent annihilation of one-half of the metallic money in the world. With an ample currency, an industrious and frugal people will speedily rebuild their works of internal improvement and repair losses of property; but no amount of industry or economy on the part of the people can create money. When the Government creates it or authorizes it, the citizen may acquire it, but he can do nothing more.



## FARMER BACKBONE OF SILVER STRENGTH

The next objection to the legislation I wish to note came from the distinguished and very useful Member from Massachusetts, Mr. Luce, to the effect that the demand for this legislation comes from the mine owners and is for their benefit. This objection might have had some point 40 years ago, but the day of the bonanza king has long since passed. He has faded from the picture. It is nothing short of ridiculous to attribute the movement for the remonetization of silver to the unknown owners of closed mines in a half dozen States, in all of which agriculture has long since surpassed mining as a major industry.

There is no more foundation for the charge that great mining interests are the power behind the remonetization of silver than there is for the equally misleading propaganda that there is available such great stores of cheaply produced silver as to destroy our monetary system if it is admitted to coinage and circulation.

The truth is that the farmer is the backbone of the silver movement. He is not interested in mines or mining. He is not trying, to use the current phrase, "to do something for silver." He wants to use silver to do something for the monetary system of the country, to expand the currency, to put money in circulation, to raise and stabilize the prices of farm products, and to restore the impoverished agriculture of the country. Despite its present low estate, as compared with tax-free interest-bearing Government bonds, the land is still the foundation of the national structure, the one indispensable asset in the inventory of the national wealth, and prosperity can never return with agriculture in bankruptcy.

Considered as an industry, the production of silver, like the production of gold, is a minor industry. In my State, which is a silver State, its annual output does not compare with that of agriculture, and it is the same in other metal-producing States. Without checking the figures, I feel safe in saying that the annual world output of both gold and silver would not buy half the annual output of automobiles in the city of Detroit. These metals are to be measured by no such standard. If the mints were thrown open to the free and unlimited coinage of silver at a ratio of 16 to 1, there are farming counties in my district which would never know it in direct results. Let me repeat, these farmers are not interested in silver from the standpoint of the mining industry. They are interested in silver only from the angle of a sufficient circulating medium which cannot be controlled as gold has been. If it were not for this interest, there would not be one farmer in a thousand in the United States in favor of the remonetization of silver, whereas the great majority of all farmers are in favor of it, and in favor of it as the first of all remedies to restore and maintain prosperity.

## BUSINESS SEEING THE LIGHT

Contrary to the views of the distinguished gentleman from Massachusetts, I draw some comfort and reassurance from another objection to this legislation urged by him, to wit, that it is recommended by the Committee of the Nation, made up of 1,000 leading industrialists and business men. This shows that silver is becoming respectable, breaking into society like the Ford car; that in addition to the mine owners and the farmers, even big business men are beginning to see the light and to see that a nation cannot carry on a business turn-over of two to three billion dollars daily and in 1929 as high as \$4,000,000,000 a day on a circulating medium of five or six billion dollars. The velocity of the turn-over of money is being considered in connection with the quantity of money in order to determine the necessary volume of money, but such a turn-over as is involved in a money base of five or six billion dollars to handle an annual business volume of twelve hundred billion, would require such a velocity as to make it invisible, and that is just what happened in 1929. I shall go more fully into this in another section of my remarks.

## THREAT IN PRESIDENT'S MESSAGE

Another objection to this legislation is that it is not needed; that the President now has plenary powers under the so-called "inflation" amendment to the farm bill to

authorize the unlimited coinage of silver at any ratio he may fix. The same was true of gold under the inflation amendment, but the President saw fit to come to Congress for specifications to carry out this general grant of power, and these specifications were given him by an act of this session of the Seventy-third Congress. Now he is doing the same thing in the case of silver. The President, it may be observed in passing, is a unique type of dictator. He is granted plenary powers and then comes to Congress for a bill of particulars. Such a policy should serve to allay the oft-expressed minority fears about dictatorships. And the fact that the President asks for these specifications ought to be an assurance that he contemplates a substantial fulfillment of them.

In this connection I want to point out and stress what to my mind is a very significant paragraph in the message of the President to Congress asking for this legislation, in that portion of the message dealing with the necessity of concerted action by all nations, "if a permanent measure of values, including both gold and silver, is eventually to be made a world standard." The President said:

To arrive at that point, we must seek every possibility for world agreement, although it may turn out that this Nation will ultimately have to take such independent action on this phase of the matter as its interests require.

Let the world take notice of the not too thinly veiled threat in this highly significant sentence. The United States is no longer a debtor nation and a suppliant to England as it was in 1896. The United States is now the creditor of the world in an amount almost beyond the comprehension of the human mind, an amount now approximating \$30,000,000,000 of public and private foreign indebtedness to the United States and its people. In my opinion this country has but to exert its leadership and its power to establish a monetary system which will place something more substantial under the business system of the world than bookkeeping and fictitious credits.

## HOW CAN WE SPEND THE MONEY?

Some objections to this legislation border on the ridiculous. One such was, how this new money would be put in circulation. It occurs to my mind that the Treasury could use it in payment of the contribution of the Government to its national roads and public-works program generally, that it could use it to pay its conservation army, that it could use it to pay salaries and expenses of the Government, that it could use it for all these outlays instead of using credits on the books of the Federal Reserve banks in exchange for more billions of tax-free 4-percent bonds. Personally, I should be willing to undergo the sacrifice of a lifetime job on the pay roll and accept silver certificates every pay day. The easiest question the administration should have to answer at this time would be how to spend the money.

## LEGISLATION IS MANDATORY AND FAR-REACHING

Mr. Speaker, two viewpoints have been expressed concerning this legislation. One is that it is a gesture, the other that it is the greatest advance for silver since its demonetization in 1873.

If I did not hold the latter view, I would not esteem it a great honor to have presided over the Committee of the Whole during the passage of the bill.

Since demonetization but two silver measures have become law—the Bland-Allison Act and the Sherman Act. These limited silver-purchase acts were foredoomed to failure by their very limitations.

This bill, while limited in words and figures written in the law, is unlimited in practical effect. Silver can be purchased and money issued against it until it reaches \$1.29 per ounce, or until the silver reserve reaches 25 percent of gold. The first objective—\$1.29 per ounce—will not only restore silver as an industry but will restore price levels as well; and no bimetalist believes the second objective—the 25-percent reserve—calling for something like 1,500,000,000 additional ounces of silver, will be reached in years, if ever. If the Treasury were thrown open tomorrow to silver at \$1.29 per ounce, it would not produce 1,500,000,000 ounces. The fallacy of an unlimited and cheap silver supply will be demonstrated under this bill.



This bill is reaching by an oblique movement an objective which could not be taken by frontal attack. Those who fear unlimited silver are reassured by the limits in the law; those who believe in complete bimetallism are confident that that result will arrive before the limitations in the law are reached.

The vital features of this bill are sections 3 and 5. To those who look upon the legislation as a mere gesture, I want to direct brief attention to these sections.

In section 3 the Secretary of the Treasury is not only authorized but directed to purchase silver at home or abroad up to a price not in excess of the monetary value thereof; that is, \$1.29 per ounce, or up to the point where the monetary value of the stocks of silver equal 25 percent of the monetary value of the stocks of gold.

This section fixes limitations or objectives both as to the price at which silver may be purchased and the quantity which may be purchased to furnish a fair demonstration as to what silver will do when relieved of the law-made discrimination which has worked continuously against it for the past 60 years.

One cannot study the history of silver since it was stricken down as money by the United States, England, France, and Germany, and at their behest by other nations of the world, without wondering what would have been the result on silver and on the money system of the world if as much had been done to preserve silver as to kill it.

The killing of silver reminds me of the essay of the English schoolboy on the Conquest of Ireland. His essay had the merit of more than brevity. The boy wrote: "The conquest of Ireland began in the year 1066 and is still going on." The killing of silver began in the year 1816, and, like the conquest of Ireland, is still going on. And in the year 1934 its resurrection is not only the liveliest of issues in the United States, but is an issue among the nations of the world.

#### WHAT IS PRIMARY MONEY?

In section 5 the Secretary of the Treasury is authorized and directed to issue silver certificates at not less than the cost of all silver purchased under the act, and maintain in the Treasury, as security for the silver certificates, silver bullion, and standard silver dollars of a monetary value equal to the face amount of the silver certificates issued, which certificates are made legal tender for all purposes, and are redeemable in silver.

Under this section silver may purchase itself with silver certificates issued in payment for it, which certificates are redeemable in silver, and the coined dollars and the silver certificates being made full legal tender for all debts, public and private. I say all this could be done under this section. If this is not primary money, what is primary money? Silver will stand on its own bottom. It will not lean upon or be redeemable in gold. It will expand the currency by giving gold a legal competitor. In my opinion, instead of artificially increasing the price of gold from \$20.67 per ounce to \$35 per ounce and then devaluing the gold dollar 40 percent, gold should have been left where it was and silver moved into the picture as a competitor. This would have been my method of reducing the value and the purchasing power of gold.

However, that is water which has run over the wheel. What we are now undertaking is less experimental and less of a departure from long-fixed standards than the gold policy. If silver, given a fair opportunity, does not accomplish for itself, for our monetary system, and for commerce what we expect of it, it will be the principal sufferer and a great issue will have been settled.

#### SILVER DEMAND NATION-WIDE

Mr. Speaker, if substantial silver legislation fails in this Congress, not legislation "to do something for silver" but legislation to do something for the monetary system of the country, something to put new life into it, or—if this bill is enacted and fails of administration, it requires no prophet to predict that in the next Congress action may be forced by the obvious Nation-wide demand for such legislation restoring silver as a primary money metal. All these bills were not introduced merely that a Member might get his name on

a silver bill. They reflect a back-home sentiment for such action.

Nothing can stop silver in the Seventy-fourth Congress but a return of prosperity in 1934 without it. World-wide gold discoveries stopped it at the close of the last century, thus vindicating the quantitative theory of money held by Bryan. Mining experts, the leaders of the mining world, predict no such discoveries now. Bond issues and credit, the present media of exchange, cannot stop it; rather they accentuate the demand for it. In the minds of millions and in many sections of the country it is the most vital issue now before the Congress, the most potential of major political results.

#### THE ANVIL CHORUS

Another evidence of the great interest in silver is to be found among its enemies. You may follow the many financial writers whose columns, many of them sent out from Washington, fill the daily papers, and what is the chief burden of their refrains? It is true they swell the anvil chorus—in fact, they are not only the sopranos, but also the tenors, the altos, the basses, and the fortissimos of the chorus—against N.R.A., A.A.A., the "brain trust", and all the activities of the recovery program. The ring of their hammers and chisels is heard throughout the land and furnishes brain food, or at least vocal food, for the reactionaries in both Houses of Congress.

All this is true, but if you will put a measuring stick on the columns you will find that the theme of "sound money" equals or exceeds in volume all other themes, and that the silver menace is threat no. 1 against sound money. I shall show later, out of the mouth of authority, what this sound money consists of; that it is a myth; that it is an abstraction; that it is a system of bank accounting based on debt and on confidence that the material resources of the country will one day enable the debts to be paid.

These financial columnists, who constitute themselves the watchdogs of the golden bull, although, perhaps, they have collars around their necks, seem to be obsessed with the delusion of an impending deluge of silver. To their distorted vision, silver is the crowning disaster which threatens the future prosperity of the country and the stability of its institutions. They have been having a hectic time of it. They were shell-shocked by the repeal of the gold-payment clause and went into delirium tremens with the devaluation of the gold dollar. But the sum of all villainies would be the remonetization of silver. Their poison pens flood the land. They emit endless columns about the freedom of the press, when what they mean is its freedom to perform the function of a loudspeaker on the cash register of big business. They know better than J. Pierpont Morgan what he wants, because Morgan has to put in a lot of time attending to his own business, while they make a living worrying about his troubles. They run to anticipate his wishes. If I only knew what they do not about money, I would consider myself an authority.

So both the friends and the enemies of silver, by their numbers and their activities, attest the vitality of the issue. Dead issues do not fill the calendars of Congress and the columns of the daily press.

#### NOW NO MONEY OF REDEMPTION—CREDIT ONLY, BASED ON DEBT

The opponents of silver legislation, as a last resort, claim that silver is not needed as money, and they point to the four and one-half billions of gold locked up in the Treasury and mathematically increased to seven and one-half billions by the devaluation act. They ignore the fact that this gold has been stripped of all monetary functions except its use in settling international trade balances by an act of Congress, not by Executive discretion, and the much more important fact that this gold had to be demonetized and locked up to prevent its flight from the country in the universal scramble to get hold of a wholly insufficient money metal. The demonetization of gold leaves the country without any metallic monetary base or money of redemption.

There is now no money in the sense of a currency having any intrinsic value. Intrinsic value! How that term car-



ries the mind back to the days of the establishment of the gold standard. What a sweet morsel it was under the tongues of the advocates of the gold standard. Our money must have intrinsic value, and that was gold.

Now, a nation with double the population and 10 times the volume of business it then had, functions without any intrinsic-value money whatever. The money of intrinsic value has been demonetized and locked up in the vaults of the Federal Treasury. As a statutory fiction, the gold standard still prevails, because we can have a gold standard without a dollar in gold behind it, but the gold has been legally separated from the standard. Young America does not know what a gold coin looks like. Young America does not know except by hearsay that any such thing exists. All young America knows as money, and all that old America has as money, is a discredited metal called silver and printed paper, based on public debt and irredeemable in any kind of coin, excepting the silver certificates, which are redeemable in silver dollars worth about 40 cents.

#### THE EXPERT ON THE STAND

A most interesting discussion of money took place recently before the Senate Committee on Agriculture. Mr. A. E. Goldenweiser, director of statistics for the Federal Reserve Board, was a witness before the committee. The committee was following a supposititious transfer of \$1,000,000 from the First National Bank of Chicago to the Federal Reserve Bank of Chicago by means of a check or draft on the Chase National Bank, of New York City. When the check or draft finally reaches the Federal Reserve Bank of Chicago, the following colloquy occurs:

Senator THOMAS. When the reserve is finally located definitely in the Federal Reserve Bank of Chicago, where is that \$1,000,000?

Mr. GOLDENWEISER. Well, the \$1,000,000 never existed except as a credit.

Senator THOMAS. Who carries the credit at that time?

Mr. GOLDENWEISER. It would be the credit of whatever bank—the First National Bank of Chicago, you said? It would be a credit to the First National Bank of Chicago and would count as part of its reserves, and the First National Bank can draw it out if it wants to or it can use it as a reserve in case it desires.

The CHAIRMAN. Where is the actual currency, the actual physical monetary value? Where is it located against that transaction? Who holds it? Where is it?

Mr. GOLDENWEISER. It does not exist, Senator.

The CHAIRMAN. Good Lord. [Laughter.]

Mr. GOLDENWEISER. Because we are doing a business in this country of \$600,000,000,000 a year—

The CHAIRMAN (interposing). With no money.

Mr. GOLDENWEISER. With nothing but five billions of currency so that you can see that the great mass—

The CHAIRMAN (interposing). Then suppose that five billions of currency was withdrawn; suppose Senator THOMAS and I, or a group of us, could get hold of that five billions of currency, then what would become of all this credit business you have got?

Mr. GOLDENWEISER. If you took it out and kept on taking it out, the credit system would collapse. No system which is based on credit, the system that is functioning in this country, can exist if everybody wants to have cash.

The CHAIRMAN. Now, you have got exactly to the point that I have been sitting here waiting for you to get to. We have an expanded currency credit system based on such a small amount of actual existing money that if you see fit to withdraw or hold it you have just got to what we had here in this miserable money panic, because in your first chart you show that as the collapse of prices went on your so-called "circulation" increased.

Mr. GOLDENWEISER. Yes, sir.

The CHAIRMAN. That is, at the very peak of what you said was the actual currency in existence held by individuals; when that was at its peak commodity prices were at their very lowest.

Mr. GOLDENWEISER. Correct.

The CHAIRMAN. Showing that confidence was destroyed and those that really owned the currency had withdrawn it; therefore you had no credit. That is as obvious as can be (pp. 77, 78).

Prior to this colloquy it had been pointed out by Mr. Goldenweiser that more than nineteen-twentieths of the business of the country is done by checks and with only about five billions of currency in existence at the time of the panic, but about sixty billion in bank deposits, or \$12 on deposit for every dollar in existence. To carry the situation a bit further, the banks had in their vaults at the time of the panic less than \$800,000,000—to be exact, 1½ cents per dollar. Perhaps the cent and a third is an exaggeration, as shown by the following question and answer:

From page 81 of the hearings I quote the following:

Mr. GOLDENWEISER. If I recall correctly, all of the banks, member banks, and nonmember banks, and all the little banks, I think somewhere around a billion is what their till money usually amounted to.

Senator THOMAS. Two or three years ago the banks altogether had on deposit approximately 60 billions, a little less than 60 billions.

Mr. GOLDENWEISER. Yes, sir.

Senator THOMAS. At that time the banks had in their vaults less than \$800,000,000.

Mr. GOLDENWEISER. That is right.

Senator THOMAS. Under our system no depositor has a single penny in any bank in America. Isn't that correct? He has a credit there for money.

Mr. GOLDENWEISER. I think that is essentially true; yes, sir.

He stated, however, that there was at least a billion dollars of excess currency now in the Federal Reserve banks, and that with the enormous money-issuing resources of the banks in the way of Government bonds, tens of billions of dollars in currency could be issued before bringing about an inflation such as they had in Germany and Austria and Russia. The Federal Reserve expert made it clear that Government bonds are money and that drafts and bills of exchange and checks are money; that any piece of paper that passes from hand to hand and is accepted as money, is money; and viewing money in this light the banks of the country are in a position to throw billions of dollars into circulation any day there is a call for it. It reminded me of "pigs is pigs."

Now, here is the fatal flaw in this great superstructure of credit, based on debt, and with such an immense debt base that the superstructure may overtop the Empire State Building. It is all stated by the expert in a seven-word sentence:

In the end it rests on confidence.

So here we have the great national asset, confidence. It is all a matter of promises to pay, whether promises of the Government, the bank, or the individual. When something happens to shake confidence, as it did in 1929, the structure is found to have no foundation. Everybody wants his money at once and nobody can get it. There is vastly too great a reach between cash and credit; 120,000,000 people to whom individually and collectively have been extended a credit estimated at more than \$200,000,000,000, carrying on a business even in bad times reaching \$600,000,000,000 annually, and in 1929 twelve hundred billion dollars, on a cash account of \$5,000,000,000, all of which cash was only printed promises of the Government and of the banks to pay. At this point the credit system collapses, because, as explained by the expert, "no system which is based on credit, the system that is functioning in this country, can exist if everybody wants to have cash."

Just at this moment my eye fell on the following paragraph in a newspaper:

The real-estate-mortgage debt in the United States is \$43,000,000,000, Frank C. Walker, director of the National Emergency council, estimated today.

The public debt—National, State, and local—is another \$40,000,000,000. The industrial, commercial, and other debts exceed the sum of these fantastic figures. This enormous mass of debts is based on something more than confidence; it is based on mortgages on every tangible asset in the United States. It was explained by the Federal Reserve expert that the Federal Reserve has never turned down any demand for currency. All it wants is good collateral. The astronomical proportion of the debt structure of the United States throws some light on the trouble with the collateral. It is already mortgaged for more than it is worth. Obviously some other method must be devised to put cash in the dried-up arteries of credit. The issue is between the school which proposes a transfusion of new blood in the shape of silver and the school which proposes that the patient shall linger through a long period of convalescence from so-called "natural causes" and subject to the same diseases that brought him low.



## ONE HUNDRED BILLIONS OF MONEY

I cannot dismiss this question of credit money, whose intrinsic value is 19 points confidence and 1 point cash, without one more reference to the testimony of the Federal Reserve expert. On page 92 of the hearings is to be found a chart which shows that in 1922, on reserves of \$1,780,000,000, the banks were carrying \$38,000,000,000 in deposits; that in 1929, on reserves of \$2,360,000,000, they were carrying a deposit structure of \$55,000,000,000, and that if these reserves were to be increased to \$5,000,000,000 they would carry a deposit, meaning purely a book deposit, meaning merely a debt to depositors, in the inconceivable sum of \$106,000,000,000, or \$21 to \$1, and this with no real money whatever under it. When the top blew off of that volcano, it would make the 1929 eruption look like a pinwheel. Like the explosion of Krakatoa, its dust would be settling over the world for a generation.

## STUDY OF MONEY HAS JUST BEGUN

Mr. Speaker, for the first time in the history of monetary legislation money and commodity prices are being considered in connection with each other. The monetary policy is being studied and directed toward the goal of raising and stabilizing the commodity price level. It is clearly perceived that we cannot restore prosperity and a normal and healthful economic life with a hundred and fifty-cent dollar and a fifty-cent commodity. On March 4, 1933, the dollar, compared with the normal 1926 commodity price level, was worth \$1.67, while the 800 commodities going to make up the price level were worth about 50 cents. It was with the avowed objective of bringing the dollar down and the commodity up to the 1926 price level, that the present gold policy was put into effect. The gold content of the dollar was cut to a fraction under 60 cents; that is, from 23.22 fine grains to 13.71 fine grains of pure gold. In other words, the value of the dollar was cut 40 percent. This had the effect of cheapening the dollar on foreign exchange, but so far as raising the domestic price level is concerned it produced results identical with taking the British pound sterling off the gold standard, which in a period of 2 years reduced the pound sterling 40 percent, but raised domestic commodity prices in England only 50 percent. A somewhat similar experiment in Sweden had the same result.

## FROM WALL STREET TO WASHINGTON

The gold policy of the present administration has been a great, daring, and worth-while experiment. This policy, along with the stock-exchange and securities legislation and the rest of the recovery program, is accomplishing something momentous which perhaps many people do not realize. It is in effect removing the Capital of the United States from Wall Street to Washington. Whatever else may be said about the monetary policies and the other policies of the present administration, it cannot be said that they are being dictated from Wall Street. That road to ruin has been abandoned, although at a cost greater than all the wars in our history.

At the same time it must be said that the advocates of an enlarged currency through the remonetization of silver did not anticipate the reaching of the 1926 price level through gold devaluation, and are therefore not disappointed. It is their belief that it would have been less experimental, more susceptible of a return to what lawyers call the "status quo ante" in the event of failure, had gold been left just as it was and silver moved into the picture; that the best way to have cheaper gold was to give it its age-old competitor, silver—silver standing on its own bottom; silver purchasing itself and redeeming itself; silver not tied to or dependent upon gold. If such a plan had been tried and failed, God would still reign and the Government at Washington still live. Silver could be removed from the picture, and one more issue in American politics would be finally settled.

Mr. Speaker, I have injected very little partisanship into my utterances and actions in the Seventy-third Congress. I do not believe that I have once used the word "Republican", and certainly not in a derogatory sense. I have felt repeated irritation over the pettifoggery and the piffing partisanship

so dear to the hearts of certain Members on both sides of the aisle and so often in evidence in the debates—what I call wash day, when the dirty laundry is brought out and displayed to the galleries. I propose to use the word, however, and use it in a critical sense in connection with the minority report on this bill. The minority report is signed by 8 of the 9 Republican members of the Committee on Ways and Means. Their main complaint is that the bill was not given sufficient consideration by the committee. This complaint was made about all the other major acts on the recovery program. Admitting the complaint to be true, I want to say two things: First, silver legislation has been debated in Congress for 60 years. It has been a subject of consideration throughout this Congress. The Member of Congress who does not know whether he is for or against silver legislation does not know enough to be a Member.

The House of Representatives has passed the Dies bill, the first silver bill to pass either branch of Congress since the Sherman Act 44 years ago, and passed it by an overwhelming majority. The Committee on Coinage favorably reported the Fiesinger bill over 2 months ago. The Senate in the special session only defeated the Wheeler complete remonetization bill by a vote of only 44 to 33, and in this session the Wheeler amendment was defeated in the Senate by the slim margin of 45 to 43. Silver legislation has been considered in the House Committees on Foreign Affairs, on Banking and Currency, and on Coinage, and in two or three Senate committees. There is no subject before the Seventy-third Congress which has received more consideration than the rehabilitation of silver.

Secondly, the same objection of want of committee consideration, and indeed of House consideration was made regarding the passage of the legislation repealing the gold-payment clause in \$100,000,000,000 of bonds and contract obligations and the legislation demonetizing gold and reducing the value of the dollar 40 percent. Both of these radical departures from the fixed monetary policy of the past was opposed by the Republican minority as destructive of money and of the national credit. They were destructive of neither. All the dire prophecies made against the gold legislation have failed to materialize.

The outstanding comment on the action of the Republican minority on the Ways and Means Committee remains to be made. That comment is that they are opposed to all legislation for the expansion of the currency. They are for the gold standard, established by their party. They struck down silver and they want to keep it down. Their idea of sound money is a piece of paper signed by a bank president, and their idea of fiat money is a piece of paper signed by the Secretary of the Treasury of the United States. They believe the banks should issue and control money instead of the Government. They would have been opposed to this bill no matter how long it was considered, or any other bill seeking to add silver to the monetary system of the country. They dream of a return to normalcy, which was defined by the author of the "New Dealers" as "a return to predatory corporate chicanery on a planetary scale." They yearn for the good old days when these predatory interests financed national campaigns in exchange for the privilege of plundering the people. It is my firm conviction that, in the language of an old cartoon, "Them days is gone forever."

The real issue which should concern the Republican Party is whether it can change its course. It cannot survive as the political agent of a dead order. It is unthinkable that the people of the United States should again suffer the reign of wealth in government. This reign and Republicanism have been synonymous. All things come to an end. Can the Republican Party adapt itself to change as has the Democratic Party? What field will it occupy? Today it stands athwart the unmistakable trend of the times. There is nothing new in its opposition to this legislation. It is opposed to all legislation seeking new ways out. It is a house divided against itself, one half moving toward a field which is already occupied and the other clinging to a position which is already lost. This is the issue of issues confronting the Republican Party.



In conclusion, Mr. Speaker, this Congress left to its own resources would have passed a complete remonetization bill. This fact should be borne in mind in the administration of this law.

#### ORDER OF BUSINESS

Mr. SNELL. Mr. Speaker, may I ask the majority leader in respect to the program for the remainder of the day?

Mr. SAMUEL B. HILL. Mr. Speaker, will the gentleman yield? The first order of business is the vote on the silver bill.

Mr. SNELL. I just want to ask the majority leader about the program this afternoon after we vote upon the silver bill.

Mr. BYRNS. I understand the conference report on the District of Columbia appropriation bill will be called up, and that after that probably the gentleman from Georgia [Mr. TARVER] will call up the rule upon his bill. After that the rule making in order the bill authorizing the District of Columbia Commissioners to borrow money from the P.W.A. will be called up.

Mr. SNELL. Since the majority leader received unanimous consent for an evening session to call the Private Calendar tonight, Members on this side of the aisle who look after that calendar have informed me that they are not ready to go forward. They did not know that the matter was coming up and they have not prepared the bills for tonight. Under those circumstances I think it would be foolish to have a meeting, because probably we would not get very far.

Mr. BYRNS. Of course, we do not want to meet here and not do business as we did the other night.

Mr. SNELL. These gentlemen have been pushed pretty hard and if the gentleman could put it off 1 night there would be no objection. Of course, the gentleman has already obtained unanimous consent for the session tonight. I did not object at that time, but none of those gentlemen were on the floor at the time. They have since come to me and have told me that they are not ready and cannot proceed tonight.

Mr. SABATH. Mr. Speaker, there are some of those private bills to which there is no objection and they can be disposed of in no time. That will give us that additional time. I think we ought to go on and get these little things out of the way.

Mr. BYRNS. Perhaps we can get together and talk about it later today.

Mr. SNELL. They say they will be ready by tomorrow night.

Mr. BLANTON. Mr. Speaker, the time for the minority leader to have made the observation that he has was when the question was under consideration. The majority leader has arranged for tonight. We who had other engagements tonight have broken them, and we have arranged to be here tonight and have transferred those engagements to tomorrow night.

Mr. SNELL. No one knows better than the minority leader when the time to object is, but I wanted to cooperate, and I am telling the gentleman from Tennessee what the situation is at the present time so that we may cooperate. If the gentleman does not want to do that we can take care of our side all right.

Mr. BLANTON. All right, and we will take care of our side and we will be here tonight.

Mr. SNELL. I have not asked the gentleman from Texas any questions. I was talking to the majority leader.

Mr. BLANTON. And I have not asked the gentleman from New York any questions; I do not have to. I think I know as much about the situation as he does. [Cries of "Regular order!"]

#### A GOVERNMENT MARKETING CORPORATION FOR AGRICULTURE

Mr. SINCLAIR. Mr. Speaker, I call attention of the Members to a marketing bill which I have introduced, which is of great importance to the farmers and consumers of the country. I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. SINCLAIR. Mr. Speaker, the Agricultural Adjustment Act has now been in operation long enough to indicate how it is going to work. With the National Industrial Recovery Act it forms the major part of the administration's plan in the drive to lift the Nation out of the depression. Under the plan in its simplest terms industry is authorized to fix a reasonable price, based on cost, on all its products by reason of the codes, and is protected in that course from any price-cutting and underselling of competitors. It is a cost-plus proposition under Government supervision.

The effect of this has been that all factory products in the main have been stepped up in price, some 20 to 30 percent, and even higher, during the past year. On the other hand, the farmer has been asked to reduce his acreage in order to wipe out some of his surplus production, and he is paid a rental for these acres taken out of production. The money to pay this rental comes from a fund created by processing taxes on the commodity. This plan will increase prices on the whole that the farmer receives for his crops. It will likewise increase the price of all processed farm products to the consumer. The ultimate object to be attained is to give the farmer a parity price on his crop equal to that which prevailed between the years 1909 to 1914, inclusive.

#### WHY RECOVERY PLAN HAS FAILED

When this legislation was first proposed over a year ago, it was expected that a billion dollars could thus be transferred in each year from the consumers to the pockets of the producers of all farm crops. This, in fact, is the purpose of the allotment plan. There is no doubt but that this would have been the result had industry stood still during this period. However, the industrial recovery law was also enacted, which made it possible for all business and industry also to increase prices. Since industry is far better organized than agriculture, the effect was immediately felt by higher prices in business 3 months before agriculture could get started under its plan. What happened, as far as agriculture is concerned, was well expressed by a farmer constituent of mine, as follows: "When the whole recovery program was worked out, and got under way about mid-July last year, overalls were selling at the store for \$1.05 a pair, and wheat was worth at the elevator 64 cents a bushel. Today overalls are worth \$1.49 a pair, and wheat has gone down to 59 cents a bushel." The economic benefit is pretty hard for the farmer to see under these conditions.

The Bureau of Agricultural Economics recently reported that the index of prices received by farmers declined 2 points during the month ending April 15. The index was 74 on April 15, 1934, compared with 55 on April 15, 1933. The index of prices paid by farmers was 120 on April 15, 1934, which was exactly 19 points higher than a year ago. Thus practically every advantage so far obtained by the operation of the crop-reduction laws has been wiped out for the farmer by the workings of the National Industrial Recovery Act.

#### LIMIT COSTS OF DISTRIBUTION

A second and more important reason for the failure of the program to be of greater aid to the farmer is the fact that no method has been provided to lessen or control the costs of distribution. Instead, costs have been added to this operation. Both producers and consumers have long complained against the charges and commissions of middlemen. The principal incentive for the organization of the cooperative movement among farmers has been the elimination of this cost. Yet, under the administration act, as now enforced, this spread, or cost has grown greater, rather than diminished. Not only does it cut down the total amount paid producers in the aggregate for their products by limiting total production but it also reduces the buying power of their customers by raising the price. In other words, the recovery program, when viewed as a whole, is somewhat of an anomaly, or self-contradictory proposal. Congress has given industry the right to fix prices on its products to include all costs and a reasonable profit—a sort of cost-plus guaranty. On the other hand, it has given agriculture a hoped-for parity price as of the pre-war period without regard to the increased overhead of debts,



interest, taxes, and all other living expenses. Under these circumstances, and unless further steps are taken, the experiment seems bound to fail in the long run.

#### CREDIT FOR FARMERS

Congress has also set up the Farm Credit Administration, which proposes to refinance all farm debts, both on land and chattel security, and guarantees the payment of interest and principal to the investor. Today, the Government finds itself in this position: Its most productive plant is engaged in a work, farming, which cannot help but operate at a loss under existing laws in the recovery set-up, and it obligates itself to pay those losses insofar as they are represented by farm loans. Of necessity, many of the farmers must default in payments of their interest and principal as it falls due, if they are forced to operate on a restricted parity price for the crops they sell, while everything they must buy in order to produce these crops is sold to them at a profit. The selling and buying prices are upon two different bases, and the farmer is at a constant disadvantage.

There has long been a wide margin between producer and consumer in the prices of farm products. Even before the World War, farmers protested against the low prices paid them for many of the things they raised. They realized that they did not receive a sufficient share of what the consumer paid. At the same time the consumer felt that he was being overcharged. Studies made by economists at various times indicate that the farmer received, on the average, about one-third of the consumer's dollar. Or, putting it another way, for every dollar of food products sold by the farmer, the consumer had to pay about \$3. In 1929 the consumers of the United States paid approximately \$24,000,000,000 for their food products. The producers received but \$9,000,000,000 for those same products, and the difference in price was added by the distributors.

Many people are of the opinion that the largest part of this marketing bill is due to exorbitant transportation charges. This we find is not the case, however, for freight charges are one of the lesser items of distribution costs. They amount to less than \$4,000,000,000 annually for the Nation. While the disparity in prices has been noticeable for years, it has grown markedly of late years. It is a fundamental cause for the failure of agriculture to operate on a paying basis.

#### STUDIES OF CONSUMERS' COUNSEL

A division known as the "Consumers' Counsel" has been created within the Agricultural Adjustment Administration, at the head of which is Dr. Frederick C. Howe. Under his able direction some very valuable work has been done for both consumers and farmers in studies of the marketing problem. Not the least important of the disclosures made is the fact that during all this depression, while both producer and consumer have been suffering, the middlemen, the distributors, and processors have been making substantial profits. Back in the boom days of 1928 and 1929 the distributors and processors were getting 52 cents out of every dollar spent for 14 of the most necessary food products. With the depression, prices and wages fell. The income of laboring men of the United States was \$22,000,000,000 less in 1932 than in 1929. This reduced pay roll for labor did not seriously affect the profits of middlemen. They continued to get about the same profit each year. The distributors paid the farmers less money for the food they raised and also took a greater profit from the consumers. In March 1933 the distributors took 69 cents of the consumer's dollar and, in the main, increased their percentage of profits, even at the lowest point of the depression. Prices of food products have gone up slightly since 1933, owing in part to Governmental influences, and we find that the distributor's share of the consumer's dollar in March 1934 was 62 cents, a slight drop in his profits from the previous year. Of course, this amount is out of proportion to the service performed.

In many cases the farmer does not receive the benefit of the processing taxes placed on the basic commodities and paid by the consumer. Too often it is taken out of the

farmer's price, while at the same time it is added to that charged the consumer. Some distributors have used it as an excuse for increasing their profits instead of merely passing on the exact amount of the tax to the final consumer.

When we break down the principal food products into classes, we find a wide disparity in the amount the producer receives of the consumer's dollar. For instance, in poultry and eggs 56 percent of the dollar paid is returned to the farmer, probably due to more direct marketing methods. Likewise, on dairy products he gets about 50 percent, but on wheat and other grains we find the greatest disparity. In these commodities the farmer gets as little as 21 cents of the dollar paid by the consumer.

#### RESTORE AGRICULTURE WITH BETTER PRICES

The Department of Agriculture has submitted figures which show that the processing tax on wheat amounts to the value of about an ordinary slice and a quarter of bread, but that in the larger cities the bakers have increased their prices because of the tax, they say, enough to cover not only the tax but the entire cost of the whole loaf. The effect of the present system of marketing, coupled with low prices, has been to break down all agriculture.

Farmers have been forced to produce crops at a loss, have been forced to go into debt, and have been unable to buy the usual quantity of factory goods. They have almost ceased to be consumers of industry except for the most meager necessities. They have quit building new homes, so are not in the market for lumber, hardware, cement, and other building materials. They are making the old machinery do a few years more, and are wearing the old clothes far beyond the normal length of time. And when we reflect that at least 50,000,000 of our people are directly dependent on agriculture for a livelihood, we can well understand the depressing effect on industry when they have to stop or curtail their buying of factory products. It has a direct effect upon labor and upon manufacturing enterprises. The best customers of industry are taken out of the market because of economic stress. I believe it can be truthfully stated that the greatest cause of this depression is due to the economic losses of farmers, and its continuation is augmented by growing and prolonged losses from year to year. There is no doubt that a restoration of better prices for farm products would immediately lift us out of the depression, return industry to its normal capacity, and put to work most of the men now idle.

#### PRESENT SYSTEM EFFICIENT IN PRODUCTION

There are those who dolefully say that our present economic system is in complete collapse and beyond all hope of repair. They predict that we are "on the road to Moscow", and every move of the new deal and the so-called "brain trusters" but confirms that view. They insist that it will be impossible for us to lift ourselves out of the depression and that such relief as is being extended is only temporary with a probable bigger collapse later on. I do not agree with these contentions. I fully realize that many serious mistakes have been made and vicious practices have crept into the conduct of our business life. Wild speculation and exorbitant profits have been permitted. The wealth of the Nation has become concentrated in the hands of a few men to a degree never known in the history of the world. Despite all these inequalities and the cruelties of the capitalistic system, as carried on by American business, it has, nevertheless, proved to be one of the most effective productive machines ever devised by civilized man. Our present-day efficiency in production is not equaled anywhere in the world. The idea of profit has been allowed to dominate, and in consequence we have failed to improve our marketing and distributing system in keeping with our superior production. The volume of business done in the United States is almost as great as that done by all the rest of the world. In 1929 it amounted to twelve hundred billion dollars' worth. No other nation even approaches this marvelous and astounding total.

The problem facing our economists—and it is a governmental problem—is to lower costs of distribution of our prod-



ucts and at the same time secure a more equitable distribution of our wealth.

#### GOVERNMENT EXPORT MARKETING CORPORATION IS THE SOLUTION

I have introduced in the House a bill to correct the abuses of our present marketing system, H.R. 8981. This bill was first introduced in Congress in 1923 and was known as the "Norris-Sinclair bill", having been offered by Senator Norris and myself. It formed the basis for the several marketing measures that were subsequently considered following that period of falling prices of farm commodities, which finally culminated in the passage of the McNary-Haugen bill. The Norris-Sinclair bill was favorably reported by the Agricultural Committees of both House and Senate, but failed of enactment.

In a speech in the House on May 22, 1924, just 10 years ago, I said:

Unless this bill is passed or something of this kind is done, we are going to see the worst times that the United States has ever experienced.

I do not claim to be a prophet, but I think that everyone will admit the prediction has been fully verified. I have not changed my views as to the urgent necessity for the legislation, and in an effort to be helpful I have again presented my bill, somewhat revised in form, to supplement the legislation already enacted.

It is the duty of the Government to control the profits of distribution, just as it is the duty of the Government to limit and control the charges of transportation, the costs of public-service utilities, and the rate of interest on money. Farmers of the United States must get a price for their products equal to the cost plus a reasonable profit, and this must be accomplished without raising prices to consumers, who are already paying all and more than they can afford. Both must be protected from the inroads of the middleman. A solution of the distributing problem can be had under the provisions of my bill, which proposes to set up a Government export marketing corporation for the purchase and sale of farm products. Under the terms of the proposed legislation profits can be controlled within reasonable limits, congestion of markets can be prevented, and shipments will be directed to centers where the need for them exists. Thus, a great deal of waste can be avoided, and the benefits accrue to both producers and consumers.

#### CONCLUSION

It is now about 15 years since I introduced in Congress the first bill to stabilize the price of farm products. I think I may correctly say that I am a pioneer in the fight to restore agriculture to a paying basis, and that during all this period no move which promised any relief for that industry has failed of my active support. Despite every effort that could be put forth, both by farmers themselves and their friends here, for economic justice, their condition has grown steadily worse until we are today confronted by a situation so tragic and desperate as to beggar description. I am absolutely convinced that refinancing loans to farmers, no matter how low the rates, is not the solution of the problem. This will help, of course, but in order to pay any interest at all and to free themselves of the staggering burden of indebtedness, they must have a fair price on their products and an honest money system. My bill, H.R. 8981, will go a long way toward assuring fair prices. A sound money system can be had if Congress will exercise its constitutional authority and stabilize the value of money. Such a program will insure the return of prosperity on a permanent foundation, not only for farmers but also for the rank and file of the American people.

#### REPUBLICANISM AND DEMOCRACY CONTRASTED

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. FISH. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address delivered by myself at a luncheon and conference of the Repub-

lican Women of Virginia, at the John Marshall Hotel, Richmond, Va., on Tuesday, May 29, 1934:

The Republican Party represents today much more nearly the principles of Thomas Jefferson than does the socialistic Democratic administration at Washington, which stands for a huge centralized bureaucratic government, regimenting and controlling the daily lives and interfering with the business of millions of free Americans.

What has become of the Jeffersonian Democrats of the South, who for more than a century and a quarter have opposed a centralized Federal Government and stood for the rights and liberties of the individual, State rights, and against interference by the Government in the conduct of legitimate business?

I am reminded of the story alleged to have been told by Abraham Lincoln. He said two men started fighting with their overcoats on, and they fought so hard that they fought themselves into each others overcoats. It looks to me as if the Democratic Party has fought itself into the Republican overcoat of centralized government, and, not stopping there, has gone on away beyond that into State socialism, if not actual socialism.

The great State of Virginia gave to the country such fearless and able champions of freedom as Patrick Henry and Thomas Jefferson. It was Patrick Henry who, denouncing the tyranny of the English Government, uttered the immortal words, "Give me liberty or give me death", and it was Thomas Jefferson who wrote the Declaration of Independence, a new Magna Carta of liberty and representative government.

It was James Madison, John Marshall, and George Washington, all native Virginians, who were the strongest advocates of the Federal Constitution. Madison did more in framing the Constitution and securing its adoption than any of the founders of our Government.

Thank heaven, the voice of Virginia in the Halls of Congress is still fearless and outspoken against those who would tear down the Constitution and destroy the constitutional rights and liberties of the American people. I admire the courage and patriotism of Senator CARTER GLASS, who in the great crisis with which our free institutions are threatened does not hesitate to place the welfare of his country above the socialistic doctrines of his party, even though he stands almost alone. There are only a handful of Senators, including his colleague, Senator BYRD, who dare openly to fight the unsound and un-American projects and brainstorms of the "brain trust."

The Representatives in the House from Virginia, while still giving lip service to Thomas Jefferson, have voted on almost every occasion with the "brain trust" to repudiate Jeffersonian principles. I hope that the Republicans of Virginia will nominate their ablest and strongest candidates for Congress, and come out openly in defense of Jeffersonian principles of government, and, above all, for the preservation of the integrity of the Constitution, to the end that the blessings of liberty and our representative form of government shall be safeguarded and passed on to future generations of free Americans.

I do not believe that Virginians, irrespective of partisanship, will compromise with alien ideals or socialism in any form. Socialism was not voted into power in the last Presidential election. If the American people had wanted socialism they would have voted for Norman Thomas, who received less than a million votes.

We are in the midst of a social and economic revolution, call it a new deal or socialism by another name, in which our free institutions and the rights and liberties under the Constitution are being continually scrapped. The right to ownership in private property and the profit system is being challenged and undermined by various socialistic members of the "brain trust", and for the first time in American political life class hatred is being cultivated and broadcasted from Washington.

Soak the rich, and even the people of moderate means, is the order of the day. Socialism is in the process of being tried out by the Democratic administration under the guise of reform and radicalism. It is perhaps just as well to try out some of the unsound theories of socialism under a Democratic administration, as they cannot succeed in a free country without applying compulsion, coercion, and force.

The Democratic Party is rapidly demonstrating its incapacity to govern within the bounds of reason and moderation. As a national party it has actually shown itself unfit and disqualified for future public support on its record of repudiation of practically all of its campaign pledges, including reduction of 25 percent in the running expenses of the Government, balancing the Budget, and the practice of economy.

The Republican national platform of 1908, in contrasting republicanism with democracy is almost prophetic of the events that have developed a quarter of a century later. The following is an extract from the Republican platform at the end of Theodore Roosevelt's administration—and I only wish we had more men in public life of his high degree of courage and steadfast Americanism; he would have never compromised with the "brain trust", socialism, or attacks on the Federal Constitution:

#### "REPUBLICANISM AND DEMOCRACY CONTRASTED"

"Beyond all platform declarations there are fundamental differences between the Republican Party and its chief opponent, which makes one worthy and the other unworthy of public trust. In history the difference between Democracy and Republicanism is



that one stands for debased currency, the other for honest currency; the one for free silver, the other for sound money; the one for free trade, the other for protection; one means doubt and debt, the other confidence and thrift.

"The present tendencies of the two parties are more marked by inherent differences. The trend of democracy is toward Socialism, while the Republican Party stands for a wise and regulated individualism. Socialism would destroy wealth, Republicanism would prevent its abuse. Socialism would give to each an equal right to take, Republicanism would give to each an equal right to earn. "In line with this tendency the Democratic Party today believes in Government ownership, while the Republican Party believes in Government regulation. Ultimately, Democracy would have the Nation own the people, while Republicanism would have the people own the Nation."

Let us give business a chance, remove the heavy hand of Government control and regimentation. Let the Government encourage business to make reasonable profits instead of placing private enterprise in a strait-jacket. Let the Government say to business, "We are with you and not against you", and stop advocating Government ownership and Socialism. Confidence would be restored overnight and the wheels of industry would begin to hum and provide employment for millions of loyal American wage earners.

The work of the pioneers in our Western States did not spring from regimentation and collectivism but from courage and the indomitable energy of individual Americans. We have already gone too far toward socialism. We should curtail rather than extend the shackles on business, and restore individual effort and incentive which has made our country the greatest, richest, and freest republic in the world.

How shall we regain control of the Nation in 1936? It cannot be done by remaining supine or by looking backward. Times and economic conditions have changed; we must not only look forward, but stand for progressive legislation and for social and industrial justice under the Constitution. We cannot and ought not to succeed on a reactionary record. We should seek a square deal for capital and labor and for all men and women, no matter what their position in life. The public welfare must be our aim and the happiness of the greatest number our goal.

We should recall and welcome to our ranks those millions of voters who, from one cause or another, left us, due to unemployment and financial distress in 1932, and in that way we shall be enabled to restore the Government to a constitutional form based on the traditions, principles, and fundamental ideals as enunciated by Washington, Jefferson, Lincoln, and Theodore Roosevelt.

The sound and constructive principles of the Republican Party are more needed today than ever before to restore business confidence and to start the wheels of industry in order to provide employment for American wage earners, and we shall welcome the support of constitutional Democrats, when they get ready to turn away from state socialism back to the principles of Jefferson and Jackson and the Constitution of the United States.

There are some pussyfooting Republicans who oppose any criticism of the "brain trust" and would adopt a mealy-mouthed, timorous policy on the new deal. The Roosevelt honeymoon cracked up on the Farley air-mail fiasco 3 months ago. It is time that the Republicans exposed the socialistic and unconstitutional features of the new deal. Prominent Democrats are beginning to squirm and to openly protest the radical departure from tried American principle and ideals of government. Republicans are not the only critics of the administration policies.

In view of the fact that we are in the midst of the baseball season, I submit the following baseball team of heavy-hitting Jeffersonian and constitutional Democrats to stack against the "brain trust" champions in the new-deal league:

Pitcher—Alfred E. Smith, of New York.  
Catcher—John W. Davis, of West Virginia.  
First base—William Randolph Hearst, of California.  
Second base—Owen D. Young, of New York.  
Shortstop—Senator Carter Glass, of Virginia, captain.  
Third base—Former Senator James A. Reed, of Missouri.  
Left field—Gov. Joseph B. Ely, of Massachusetts.  
Center field—Senator Josiah W. Bailey, of North Carolina.  
Right field—Senator M. M. Logan, of Kentucky.  
Manager—John N. Garner, of Texas.  
Assistant manager—Gov. Albert C. Ritchie, of Maryland.  
Publicity agents—Walter Lippmann, H. L. Mencken, James P. Warburg.

Coach—Joseph P. Tumulty, of New Jersey.  
Substitutes—Representative George B. Terrell, of Texas; Representative James R. Claiborne, of Missouri; Hon. Bainbridge Colby; Hon. Newton D. Baker; Gov. Eugene Talmadge, of Georgia; Senator Royal S. Copeland, of New York; Senator David I. Walsh, of Massachusetts; Senator Millard E. Tydings, of Maryland; Senator Thomas P. Gore, of Oklahoma; and Senator Harry F. Byrd, of Virginia.

#### SILVER

Mr. PARSONS. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER. Is there objection?

Mr. SAMUEL B. HILL. Does that replace the vote on the silver bill?

The SPEAKER. It does not.

Mr. BLANCHARD. Mr. Speaker, I reserve the right to object. I made a similar request a few days ago and was denied the privilege. I should like to know whether if we make no objection now I might be granted 5 minutes after the close of business today?

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PARSONS. Mr. Speaker, I have asked for this time for the purpose of propounding an inquiry to the Chairman of the Committee on Ways and Means and to the gentleman from Texas [Mr. DIES] as to what will become of the original Dies bill should the bill which we are now considering and which we are about to vote on be passed by the House and be sent to the Senate and become a law?

What will become of the original Dies bill that was passed by this Congress on March 19?

Mr. DOUGHTON. It is within the jurisdiction of the other body. I cannot tell what disposition will be made of it over there. Moreover, I am not prepared to speak for the gentleman from Texas [Mr. DIES], who can usually speak for himself. I have no definite knowledge as to what the Senate may intend to do.

Mr. PARSONS. I should like to make the same inquiry of the gentleman from Texas [Mr. DIES], the author of both these bills.

Mr. DIES. Of course, the original bill was reported favorably by the Senate Committee on Agriculture, with the Thomas amendment, and it is now on the calendar. No one can predict what will happen in the Senate. It is impossible to give the gentleman a definite answer as to what the action of the Senate will be.

Mr. PARSONS. I feel very strongly upon this silver question. In my humble judgment, the original Dies bill was a better bill for the agricultural interests of the country than the bill that is now before the House. I am going to support this bill this morning for one reason only, and that is to give the Secretary of the Treasury an opportunity to carry out the provisions and mandatory legislation that we are placing in his hands. I am going to vote for it with some misgivings, but, as I say, with this in mind, to give him an opportunity to see if he will do something with silver. If he fails to carry out the provisions that are placed in his hands, then I prophesy that in the next Congress the silver question will forge to the front, as the gentleman from Colorado [Mr. MARTIN] stated, or there will be a new Secretary of the Treasury, and there will be different activities as far as silver is concerned, in the next Congress. [Applause.]

Mr. DIES. Will the gentleman yield?

Mr. PARSONS. I yield.

Mr. DIES. The gentleman realizes that the Senate has a choice between the two bills. Both of them will be deposited on their doorstep.

Mr. PARSONS. But if the Senate brings forth the original Dies bill, it can also pass it and send it to the White House if it so chooses.

Mr. DIES. That is true.

Mr. PARSONS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The question is on the passage of the bill.

Mr. MOTT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MOTT. In its present form, I am.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MOTT. Yes; I am opposed to the bill.

Mr. O'CONNOR. Mr. Speaker, I believe the question should be, "Does the gentleman intend to vote against the bill?" We have had that thrashed out.

The SPEAKER. The Chair thinks that is true. Is the gentleman opposed to the bill and will he vote against it?

Mr. SNELL. Mr. Speaker, I do not think it has been necessary to ask whether he is going to vote against the bill. The only thing that is required is, "Is he against the bill?"

The SPEAKER. That is one way of finding out.



Mr. SNELL. If the gentleman is not opposed to the bill, I will offer the motion to recommit, because I am against the bill and I intend to vote against it.

Mr. MOTT. I am not particular how the question is asked. If it is necessary in order to offer a motion to recommit to say that I intend to vote against the bill, I will say that I am opposed to the bill and that I intend to vote against it.

Mr. SNELL. It never has been asked in this way in the world.

The SPEAKER. That is the way to find out. Gentlemen of the minority have stated they were against a bill and then have voted for the bill. The Chair is going to find out hereafter whether they are against the bill or not.

The Chair understands the gentleman from Oregon [Mr. Morr] is opposed to the bill and will vote against it.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Motion by Mr. Morr: I move to recommit the bill with instructions to report the same back to the House with the following amendments:

On page 1, line 10, after the word and figure "section 3", strike out the section and insert in lieu thereof the following:

"Sec. 3. Whenever and so long as the proportion of silver in the stocks of gold and silver of the United States is less than one-fourth of the monetary value of such stocks, the Secretary of the Treasury is authorized and directed to purchase silver, newly mined in the United States, for present or future delivery, at such rates, at such times, and upon such terms and conditions as he may deem reasonable and most advantageous to the public interest: *Provided*, That all such silver shall be purchased with silver certificates, and not otherwise, and the Secretary of the Treasury is authorized and directed to issue silver certificates for that purpose in such denominations as he may from time to time prescribe in a face amount not less than the cost of all silver purchases under the authority of this section.

"Strike out section 6 and all subsequent sections of the bill."

Mr. COOPER of Tennessee. Mr. Speaker, I make a point of order against the motion to recommit. As I understood it, it does not state to whom the bill is to be recommitted, or whether it is to be reported back or not.

Mr. MOTT. Mr. Speaker, I move to insert, following the word "bill", the words, "to the Ways and Means Committee."

The SPEAKER. Without objection, the words will be inserted.

There was no objection.

The SPEAKER. The Chair overrules the point of order. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. McGugin) there were—ayes 59, noes 163.

Mr. ENGLEBRIGHT. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 71, nays 269, answered "present" 2, not voting 89, as follows:

[Roll No. 154]

YEAS—71

Allen	Dowell	Kinzer	Ransley
Andrews, N.Y.	Eltse, Calif.	Knutson	Rogers, Mass.
Bacharach	Englebright	Kurtz	Seger
Bakewell	Evans	Lambertson	Sinclair
Blanchard	Flesinger	Lamneck	Snell
Bolleau	Fish	Lemke	Stalker
Bolton	Focht	Luce	Taber
Buckbee	Frear	Lundeen	Taylor, Tenn.
Carter, Wyo.	Gifford	McFadden	Thomas
Clarke, N.Y.	Gilchrist	McGugin	Tinkham
Collins, Calif.	Goodwin	McLean	Traeger
Connolly	Griffin	McLeod	Waldron
Corning	Hancock, N.Y.	Marshall	Whitley
Culkin	Hartley	Martin, Mass.	Wigglesworth
Darrow	Holmes	Mott	Withrow
De Priest	James	Peavey	Wolcott
Ditter	Kahn	Perkins	Wolverton
Dondero	Kelly, Pa.	Powers	

NAYS—269

Adair	Berlin	Brown, Mich.	Caldwell
Adams	Biermann	Brunner	Cannon, Mo.
Arens	Bland	Buchanan	Cannon, Wis.
Arnold	Blanton	Buck	Carden, Ky.
Ayers, Mont.	Bloom	Burch	Carmichael
Ayres, Kans.	Boehne	Burke, Nebr.	Carpenter, Kans.
Bankhead	Brooks	Busby	Carpenter, Nebr.
Beam	Brown, Ga.	Byrns	Cartwright
Beiter	Brown, Ky.	Cady	Castellow

Celler	Gillespie	Ludlow	Sabath
Chapman	Gillette	McCarthy	Sadowski
Chavez	Glover	McClintic	Sanders, La.
Christianson	Goldsborough	McCormack	Sanders, Tex.
Cochran, Mo.	Goss	McDuffie	Sandiin
Coffin	Granfield	McFarlane	Schaefer
Colden	Gray	McKeown	Schuetz
Cole	Greenway	McMillan	Schulte
Collins, Miss.	Greenwood	McReynolds	Scruggam
Colmer	Gregory	McSwain	Secrest
Condon	Grissold	Maloney, Conn.	Shallenberger
Connery	Guyer	Maloney, La.	Sirovich
Cooper, Tenn.	Hancock, N.C.	Mansfield	Smith, Va.
Cox	Harlan	Mapes	Smith, Wash.
Cravens	Hart	Martin, Colo.	Snyder
Crosby	Hastings	Martin, Oreg.	Somers, N.Y.
Cross, Tex.	Henney	May	Spence
Crosser, Ohio	Hess	Mead	Stegall
Crowe	Hildebrandt	Meeks	Strong, Tex.
Crowther	Hill, Ala.	Merritt	Stubbs
Crump	Hill, Knute	Miller	Studley
Cullen	Hill, Samuel B.	Milligan	Summers, Tex.
Cummings	Hoeppel	Mitchell	Swank
Dear	Holdale	Monaghan, Mont.	Sweeney
Deen	Hollister	Montague	Tarver
DeRouen	Hope	Montet	Taylor, Colo.
Dickinson	Howard	Moran	Terrell, Tex.
Dickstein	Huddleston	Morehead	Terry, Ark.
Dies	Hughes	Murdock	Thomason
Dingell	Imhoff	Nesbit	Thompson, Ill.
Dirksen	Jacobsen	O'Brien	Thompson, Tex.
Disney	Jenckes, Ind.	O'Connor	Tobey
Dobbins	Johnson, Minn.	O'Malley	Treadway
Dockweiler	Johnson, Okla.	Owen	Turner
Doughton	Johnson, Tex.	Palmisano	Umstead
Douglass	Johnson, W.Va.	Parker	Underwood
Doxey	Jones	Parks	Utterback
Driver	Kee	Parsons	Vinson, Ky.
Duffey	Keller	Patman	Wallgren
Duncan, Mo.	Kelly, Ill.	Pettengill	Walter
Dunn	Kennedy, Md.	Peysor	Warren
Durgan, Ind.	Kennedy, N.Y.	Pierce	Wearin
Eagle	Kenney	Plumley	Welch
Edmiston	Kerr	Polk	Werner
Eicher	Kleberg	Ramsay	West, Ohio
Ellenbogen	Kloeb	Ramspeck	West, Tex.
Elizay, Miss.	Kockalkowski	Rankin	White
Faddis	Kopplemann	Rayburn	Whittington
Farley	Kramer	Reece	Willford
Fitzgibbons	Lambeth	Reed, N.Y.	Williams
Fitzpatrick	Lanham	Reilly	Wilson
Flannagan	Lanzetta	Rich	Wood, Ga.
Fletcher	Larrabee	Richards	Wood, Mo.
Ford	Lea, Calif.	Robertson	Woodrum
Foss	Lee, Mo.	Robinson	Young
Frey	Lehr	Rogers, N.H.	The Speaker
Fuller	Lewis, Colo.	Romjue	
Fulmer	Lindsay	Rudd	
Gavagan	Lozier	Ruffin	

ANSWERED "PRESENT"—2

Beedy Woodruff

NOT VOTING—89

Abernethy	Clark, N.C.	Lehlbach	Simpson
Allgood	Cochran, Pa.	Lesinski	Sisson
Andrew, Mass.	Cooper, Ohio	Lewis, Md.	Smith, W.Va.
Auf der Heide	Darden	Lloyd	Stokes
Bacon	Delaney	McGrath	Strong, Pa.
Bailey	Doutrich	Mariand	Sullivan
Beck	Drewry	Millard	Sutphin
Black	Eaton	Moynihan, Ill.	Swick
Boland	Edmonds	Muldowney	Taylor, S.C.
Boylan	Fernandez	Musselwhite	Thom
Brennan	Foulkes	Norton	Thurston
Britten	Gambrill	O'Connell	Truax
Browning	Gasque	Oliver, Ala.	Turpin
Bulwinkle	Green	Oliver, N.Y.	Vinson, Ga.
Burke, Calif.	Haines	Peterson	Wadsworth
Burnham	Hamilton	Prall	Weaver
Carley, N.Y.	Harter	Randolph	Weideman
Carter, Calif.	Healey	Reid, Ill.	Wilcox
Cary	Higgins	Richardson	Wolfenden
Caviochia	Jeffers	Rogers, Okla.	Zioncheck
Chase	Jenkins, Ohio	Sears	
Church	Kniffin	Shannon	
Claiborne	Kvale	Shoemaker	

The SPEAKER. The Clerk will call my name.

The Clerk called Mr. RAINY's name, and he voted nay.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Bacon (for) with Mr. Oliver of New York (against).  
 Mr. Simpson (for) with Mr. Sullivan (against).  
 Mr. Lehlbach (for) with Mr. Boylan (against).  
 Mr. Andrew of Massachusetts (for) with Mr. McGrath (against).  
 Mr. Jenkins of Ohio (for) with Mr. Truax (against).  
 Mr. Higgins (for) with Mr. Kniffin (against).  
 Mr. Beck (for) with Mr. Randolph (against).  
 Mr. Cooper of Ohio (for) with Mr. Peterson (against).  
 Mr. Eaton (for) with Mr. Chase (against).  
 Mr. Swick (for) with Mr. Clark of North Carolina (against).  
 Mr. Millard (for) with Mr. Brennan (against).



Mr. Stokes (for) with Mr. Delaney (against).  
 Mr. Wolfenden (for) with Mr. Browning (against).  
 Mr. Cochran of Pennsylvania (for) with Mr. Taylor of South Carolina (against).  
 Mr. Muldowney (for) with Mr. Darden (against).  
 Mr. Cavicchia (for) with Mr. Musselwhite (against).  
 Mr. Turpin (for) with Mr. Hamilton (against).  
 Mr. Doutrich (for) with Mr. Black (against).  
 Mr. Edmonds (for) with Mr. Sisson (against).  
 Mr. Kvale (for) with Mr. Drewry (against).  
 Mr. Shoemaker (for) with Mr. Prall (against).

#### Until further notice:

Mr. Vinson of Georgia with Mr. Britten.  
 Mr. Lewis of Maryland with Mr. Burnham.  
 Mr. Abernethy with Mr. Moynihan of Illinois.  
 Mr. Allgood with Mr. Wadsworth.  
 Mr. Sears with Mr. Strong of Pennsylvania.  
 Mr. Weaver with Mr. Thurston.  
 Mr. Oliver of Alabama with Mr. Reid of Illinois.  
 Mrs. Norton with Mr. Gregory.  
 Mr. Bulwinkle with Mr. Lloyd.  
 Mr. Gambrell with Mr. Thom.  
 Mr. Sutphin with Mr. Foulkes.  
 Mr. Smith of West Virginia with Mr. Healey.  
 Mr. O'Connell with Mr. Wilcox.  
 Mr. Shannon with Mr. Lesinski.  
 Mr. Weideman with Mr. Zioncheck.  
 Mr. Church with Mr. Haines.  
 Mr. Richardson with Mr. Marland.  
 Mr. Auf der Heide with Mr. Carley of New York.  
 Mr. Fernandez with Mr. Green.  
 Mr. Cary with Mr. Boland.  
 Mr. Harter with Mr. Bailey.  
 Mr. Burke of California with Mr. Rogers of Oklahoma.

Mr. RICH and Mr. FOSS changed their vote from "yea" to "nay."

Mr. BEEDY changed his vote from "yea" to "present."

Mr. DONDERO changed his vote from "nay" to "yea."

Mr. BLANCHARD. Mr. Speaker, I had an agreement with the gentleman from South Carolina, Mr. TAYLOR, to pair with him. In order to effectuate that agreement, I now desire to withdraw my vote and pair with the gentleman from South Carolina, Mr. TAYLOR, he to be recorded as "nay" on this vote, and I to be recorded as "yea" on this vote.

Mr. WOODRUFF. Mr. Speaker, I have a pair with my colleague from Michigan, Mr. MUSSELWHITE. Not knowing how he would vote on this question if he were present, I withdraw my vote of "yea" and vote "present."

The result of the vote was announced as above recorded. The SPEAKER. The question is on the passage of the bill.

Mr. DOUGHTON and Mr. SNELL asked for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 263, nays 77, answered "present" 1, not voting 90, as follows:

[Roll No. 155]

#### YEAS—263

Adair	Cartwright	Douglass	Hancock, N.C.
Adams	Castellow	Dowell	Harlan
Arens	Celler	Doxey	Hart
Arnold	Chapman	Driver	Hastings
Ayers, Mont.	Chavez	Duffey	Henney
Ayers, Kans.	Cochran, Mo.	Duncan, Mo.	Hildebrandt
Bankhead	Coffin	Dunn	Hill, Ala.
Beam	Colden	Durgan, Ind.	Hill, Knute
Beiter	Cole	Eagle	Hill, Samuel B.
Berlin	Collins, Calif.	Edmiston	Hoeppel
Biermann	Collins, Miss.	Eicher	Holdale
Bland	Colmer	Ellenbogen	Howard
Blanton	Condon	Ellzey, Miss.	Huddleston
Bloom	Connery	Faddis	Hughes
Boehne	Cooper, Tenn.	Farley	Imhoff
Boileau	Cox	Fitzgibbons	Jacobsen
Brooks	Cravens	Fitzpatrick	James
Brown, Ga.	Crosby	Flannagan	Jenckes, Ind.
Brown, Ky.	Cross, Tex.	Fletcher	Johnson, Minn.
Brown, Mich.	Crosser, Ohio	Ford	Johnson, Okla.
Brunner	Crowe	Frey	Johnson, Tex.
Buchanan	Crump	Fuller	Johnson, W.Va.
Buck	Cullen	Fulmer	Jones
Burch	Cummings	Gavagan	Kee
Burke, Nebr.	Dear	Gilchrist	Keller
Busby	Deen	Gillespie	Kelly, Ill.
Byrns	DeRouen	Gillette	Kennedy, Md.
Cady	Dickinson	Glover	Kennedy, N.Y.
Caldwell	Dickstein	Goldsborough	Kennedy
Cannon, Mo.	Dies	Granfield	Kerr
Cannon, Wis.	Dingell	Gray	Kleberg
Carden, Ky.	Disney	Greenway	Kloeb
Carmichael	Dobbins	Greenwood	Kocalkowski
Carpenter, Kans.	Dockweiler	Gregory	Kopplemann
Carpenter, Nebr.	Doughton	Griswold	Kramer

Lambertson	Miller	Rogers, N.H.
Lambeth	Milligan	Romjue
Lanham	Mitchell	Rudd
Lanzetta	Monaghan, Mont.	Ruffin
Larrabee	Montet	Sabath
Lee, Mo.	Moran	Sadowski
Lehr	Morehead	Sanders, La.
Lemke	Murdock	Sanders, Tex.
Lewis, Colo.	Nesbit	Sandlin
Lindsay	O'Brien	Schaefer
Lozler	O'Connor	Schuetz
Ludlow	O'Malley	Schulte
Lundeen	Oliver, Ala.	Scrugham
McCarthy	Owen	Secrest
McClintic	Palmisano	Shallenberger
McCormack	Parker	Sinclair
McDuffie	Parks	Sirovich
McFarlane	Parsons	Smith, Va.
McKeown	Patman	Smith, Wash.
McLeod	Peavey	Snyder
McMillan	Pettengill	Somers, N.Y.
McReynolds	Pierce	Spence
McSwain	Polk	Steagall
Maloney, Conn.	Ramsay	Strong, Tex.
Maloney, La.	Ramspeck	Stubbs
Mansfield	Rankin	Summers, Tex.
Martin, Colo.	Rayburn	Swank
Martin, Oreg.	Reilly	Sweeney
May	Richards	Tarver
Mead	Robertson	Taylor, Colo.
Meeks	Robinson	Taylor, Tenn.

#### NAYS—77

Allen	Edmonds	Kelly, Pa.	Reed, N.Y.
Andrews, N.Y.	Eltse, Calif.	Kinzer	Rich
Bacharach	Englebright	Knutson	Rogers, Mass.
Bakewell	Evans	Kurtz	Seger
Beedy	Fiesinger	Lamneck	Snell
Blanchard	Fish	Luce	Stalker
Bolton	Focht	McFadden	Studley
Carter, Wyo.	Foss	McGugin	Taber
Cavicchia	Gifford	McLean	Thomas
Christianson	Goodwin	Mapes	Tinkham
Clarke, N.Y.	Goss	Marshall	Tobey
Connolly	Griffin	Martin, Mass.	Trager
Corning	Guyer	Merritt	Treadway
Crowther	Hancock, N.Y.	Mott	Turpin
Culkin	Hartley	Perkins	Whitley
Darrow	Hess	Peyser	Wigglesworth
De Priest	Hollister	Plumley	Wolcott
Dirksen	Holmes	Powers	
Ditter	Hope	Ransley	
Dondero	Kahn	Reece	

#### ANSWERED "PRESENT"—1

Woodruff

#### NOT VOTING—90

Abernethy	Clark, N.C.	Lea, Calif.	Shoemaker
Allgood	Cochran, Pa.	Lehlbach	Simpson
Andrew, Mass.	Cooper, Ohio	Lesinski	Sisson
Auf der Heide	Darden	Lewis, Md.	Smith, W.Va.
Bacon	Delaney	Lloyd	Stokes
Bailey	Doutrich	McGrath	Strong, Pa.
Beck	Drewry	Marland	Sullivan
Black	Eaton	Millard	Sutphin
Boland	Fernandez	Montague	Swick
Boylan	Foulkes	Moynihan, Ill.	Taylor, S.C.
Brennan	Frear	Muldowney	Thom
Britten	Gambrell	Musselwhite	Thurston
Browning	Gasque	Norton	Truax
Buckbee	Green	O'Connell	Vinson, Ga.
Bulwinkle	Haines	Oliver, N.Y.	Wadsworth
Burke, Calif.	Hamilton	Peterson	Weaver
Burnham	Harter	Prall	Weideman
Carnahan, N.Y.	Healey	Randolph	Wilcox
Carter, Calif.	Higgins	Reid, Ill.	Wolfenden
Cary	Jeffers	Richardson	Wolverton
Chase	Jenkins, Ohio	Rogers, Okla.	Zioncheck
Church	Kniffin	Sears	
Claiborne	Kvale	Shannon	

The SPEAKER. The Clerk will call my name.

The Clerk called Mr. RAINEY's name, and he voted "yea."

So the bill was passed.

The Clerk announced the following additional pairs:

On this vote:

Mr. Oliver of New York (for) with Mr. Bacon (against).  
 Mr. Sullivan (for) with Mr. Simpson (against).  
 Mr. Boylan (for) with Mr. Lehlbach (against).  
 Mr. McGrath (for) with Mr. Andrew of Massachusetts (against).  
 Mr. Truax (for) with Mr. Jenkins of Ohio (against).  
 Mr. Kniffin (for) with Mr. Higgins (against).  
 Mr. Randolph (for) with Mr. Beck (against).  
 Mr. Peterson (for) with Mr. Cooper of Ohio (against).  
 Mr. Chase (for) with Mr. Eaton (against).  
 Mr. Clark of North Carolina (for) with Mr. Swick (against).  
 Mr. Brennan (for) with Mr. Millard (against).  
 Mr. Delaney (for) with Mr. Stokes (against).  
 Mr. Browning (for) with Mr. Wolfenden (against).  
 Mr. Taylor of South Carolina (for) with Mr. Cochran of Pennsylvania (against).  
 Mr. Darden (for) with Mr. Muldowney (against).  
 Mr. Black (for) with Mr. Doutrich (against).



Until further notice:

Mr. Vinson of Georgia with Mr. Britten.  
 Mr. Drewry with Mr. Kvale.  
 Mr. Prall with Mr. Shoemaker.  
 Mr. Musselwhite with Mr. Frear.  
 Mr. Hamilton with Mr. Buckbee.  
 Mr. Sisson with Mr. Wolverton.  
 Mr. Lewis of Maryland with Mr. Burnham.  
 Mr. Abernethy with Mr. Moynihan of Illinois.  
 Mr. Allgood with Mr. Wadsworth.  
 Mr. Sears with Mr. Strong of Pennsylvania.  
 Mr. Weaver with Mr. Thurston.  
 Mr. Oliver of Alabama with Mr. Reid of Illinois.  
 Mrs. Norton with Mr. Claiborne.  
 Mr. Bulwinkle with Mr. Lloyd.  
 Mr. Gambrell with Mr. Thom.  
 Mr. Sutphin with Mr. Foulkes.  
 Mr. Smith of West Virginia with Mr. Healey.  
 Mr. O'Connell with Mr. Wilcox.  
 Mr. Shannon with Mr. Lesinski.  
 Mr. Weldeman with Mr. Zioncheck.  
 Mr. Church with Mr. Haines.  
 Mr. Richardson with Mr. Marland.  
 Mr. Auf der Heide with Mr. Carley.  
 Mr. Fernandez with Mr. Green.  
 Mr. Cary with Mr. Boland.  
 Mr. Harter with Mr. Bailey.  
 Mr. Burke of California with Mr. Rogers of Oklahoma.  
 Mr. Lea of California with Mr. Gasque.  
 Mr. Montague with Mr. Jeffers.

Mr. WOODRUFF. Mr. Speaker, I have a pair with my colleague from Michigan, Mr. MUSSELWHITE. If he were present and voting, he would vote "yea." Consequently I withdraw my vote of "nay" and vote "present."

Mr. BLANCHARD. Mr. Speaker, I have an agreement with the gentleman from South Carolina, Mr. TAYLOR, with reference to a pair. I now ask that my vote be withdrawn and that the RECORD show Mr. TAYLOR paired as voting "yea" and myself as voting "nay."

Mr. MONTAGUE. Mr. Speaker, I cannot qualify; but if permitted to vote, I would vote "yea."

The result of the vote was announced as above recorded.

On motion of Mr. DOUGHTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. MAY. Mr. Speaker, my colleague the gentleman from Kentucky, Mr. CARY, is absent on official business. If he had been present, he would have voted "no" on the motion to recommit, and on the passage of the bill he would have voted "aye."

My BYRNS. Mr. Speaker, my colleague the gentleman from Tennessee, Mr. BROWNING, is necessarily absent today, and the gentleman from Ohio, Mr. HARTER, has also been excused. If they were here, they would have voted "aye" on the passage of the bill.

Mr. SABATH. Mr. Speaker, my colleague the gentleman from Illinois, Mr. BRENNAN, is necessarily absent. If he had been here, he would have voted "aye" on the passage of the bill.

Mr. SNELL. Mr. Speaker, I shall not object to all this, although it is out of order.

#### FEDERAL INSURANCE OF DEPOSITS

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3025) to amend section 12B of the Federal Reserve Act so as to extend for 1 year the temporary plan for deposit insurance, and for other purposes, with House amendment thereto, insist on the House amendment and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Chair appointed the following conferees: Mr. STEAGALL, Mr. GOLDSBOROUGH, and Mr. LUCE.

#### EVENING SESSION

Mr. BYRNS. Mr. Speaker, this morning the House agreed to the request I submitted that it should be in order for the House to take a recess until 7:30 this evening for consideration of bills on the Private Calendar, unobjected to, beginning at the star. In view of the statement of the minority leader, I now ask unanimous consent that this order be rescinded and that on tomorrow it shall be in

order for the House to recess until 7:30 o'clock in the evening for the consideration of bills on the Private Calendar, unobjected to, beginning at the star.

Mr. BLANTON. Mr. Speaker, reserving the right to object, when on short notice the request was made this morning for a session tonight, I called our majority leader's attention to the fact that some of us had made arrangements to work in our offices tonight, and asked him if he would put it off until tomorrow night. The minority leader was present, because he made some facetious statement about social engagements. The minority leader made no objection, and I stated I would go along with the majority leader, regardless of personal inconvenience. We rearranged our program to be here. The agreement was entered into. Later the gentleman from New York intimated that if we were in session this evening there would be no business transacted.

Mr. SNELL. I did not say any such thing.

Mr. BLANTON. Was that intimation made?

Mr. SNELL. I am not going to answer the gentleman's question.

Mr. BLANTON. Well, that is what the majority leader told me, the intimation meant we would not be able to do business this evening, and whenever the majority leader tells me he cannot do business because you will not let him, I am willing to go along with him and help him.

Mr. SNELL. Mr. Speaker, I demand the regular order.

Mr. BLANTON. If the regular order is demanded, I ought to object. I should like to accommodate the gentleman.

Mr. SNELL. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. BLANTON. We are going to rearrange our program and we are going along with our majority leader and we are going to see to it that some business is transacted.

Mr. SNELL. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

#### JOHN P. LEONARD

Mr. HILL of Alabama. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 541) for the relief of John P. Leonard, with a Senate amendment thereto, disagree to the Senate amendment and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Chair appointed the following conferees: Mr. HILL of Alabama, Mr. COFFIN, and Mr. GOSS.

#### WILLIAM G. BURRESS

Mr. HILL of Alabama. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2439) for the relief of William G. Burress, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Chair appointed the following conferees: Mr. HILL of Alabama, Mr. COFFIN, and Mr. GOSS.

#### RICHARD A. CHAVIS

Mr. HILL of Alabama. Mr. Speaker, I call up the conference report on the bill (H.R. 2032) for the relief of Richard A. Chavis.

The Clerk read the conference report.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2032) for the relief of Richard A. Chavis having met,



after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, as follows: In lieu of the language inserted by said amendment insert the following: " : *Provided further*, That the rights, privileges, and benefits conferred upon Richard A. Chavis by reason of the enactment of this act shall be limited to admission to a soldiers' home under the regulations governing such admission: *And provided further*, That he shall be entitled to such medical care as is usually accorded inmates of such home while resident therein."; and the Senate agree to the same.

LISTER HILL,  
CHESTER THOMPSON,  
VINCENT CARTER,  
*Managers on the part of the House.*  
MORRIS SHEPPARD,  
MARCUS A. COOLIDGE,  
ROSCOE C. PATTERSON,  
*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2032) for the relief of Richard A. Chavis receded and agreed to the Senate amendment with an amendment to the Senate amendment. Under the Senate amendment the beneficiary of the bill would have been entitled only to domiciliary care. The amendment to the Senate amendment insures the beneficiary of the bill not only domiciliary care but medical care as well. In view of the fact that the beneficiary of the bill served only a short time in the Army and was absent without leave at the time his company was mustered out of the service, it is felt that the agreement of the conferees accords the beneficiary full consideration.

LISTER HILL,  
CHESTER THOMPSON,  
VINCENT CARTER,  
*Managers on the part of the House.*

Mr. HILL of Alabama. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### CHARLES T. MOLL

Mr. HILL of Alabama. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3985) for the relief of Charles T. Moll, with Senate amendments thereto, and agree to the Senate amendments.

The Clerk read the title of the bill and the Senate amendments, as follows:

Line 5, after "Charles T. Moll", insert "who served in Company F, Fourteenth Regiment United States Infantry."

Line 7, strike out "9th day of August" and insert "3d day of January."

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Senate amendments were agreed to.

#### BOARD OF INDETERMINATE SENTENCE AND PAROLE FOR THE DISTRICT OF COLUMBIA

Mr. PALMISANO. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3290) to amend an act entitled "An act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes", approved July 15, 1932, a similar House bill having been passed by the House.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the bill as follows:

*Be it enacted, etc.*, That the act of Congress entitled "An act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes", approved July 15, 1932, be, and the same is hereby, amended by adding a new section to be numbered "10" and to read as follows:

"Sec. 10. The Board of Parole created by the act of Congress entitled 'An act to amend an act providing for the parole of United States prisoners, approved June 25, 1910, as amended', approved May 13, 1930, shall have and exercise the same power and authority over prisoners convicted in the District of Columbia of crimes against the United States and now or hereafter confined in any United States penitentiary or prison (other than the penal institutions of the District of Columbia) as is vested in the Board of Indeterminate Sentence and Parole over prisoners confined in the penal institutions of the District of Columbia."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### FIRE ESCAPES IN CERTAIN BUILDINGS IN THE DISTRICT OF COLUMBIA

Mr. PALMISANO. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2623) to amend the act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes", approved March 19, 1906, as amended, a similar House bill having been passed by the House.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes", approved March 19, 1906, as amended, is amended to read as follows:

"That it shall be the duty of the owner entitled to the beneficial use, rental, or control of any building three or more stories in height, constructed or used or intended to be used as an apartment house, tenement house, flat, rooming house, lodging house, hotel, hospital, seminary, academy, school, college, institute, dormitory, asylum, sanitarium, hall, place of amusement, office building, or store, or of any building three or more stories in height, or over 30 feet in height, other than a private dwelling, in which sleeping quarters for the accommodation of 10 or more persons are provided above the first floor, to provide and cause to be erected and fixed to every such building one or more suitable fire escapes, connecting with each floor above the first floor by easily accessible and unobstructed openings, in such location and numbers and of such material, type, and construction as the Commissioners of the District of Columbia may determine; except that buildings designed and built as single-family dwellings, and converted to use as apartment houses, in which not more than three families reside, including the owner or lessee, or rooming houses in which sleeping accommodations are provided for less than 10 persons above the first floor, not more than three stories, nor more than 40 feet in height, and having a total floor area not more than 3,000 square feet above the first floor, shall be exempted from the provisions of section 1 of this act; and except that buildings used solely as apartment houses, not more than three stories, nor more than 40 feet in height, so arranged that not more than five apartments per floor open directly, without an intervening hall or corridor, on a fire-resistive stairway, 3 feet or more in width, enclosed with masonry walls in which fire-resistive doors are provided at all openings, shall be exempted from the provisions of this section.

"Sec. 2. It shall be the duty of the owner entitled to the beneficial use, rental, or control of any building already erected, or which may hereafter be erected, in which 10 or more persons are employed at the same time in any of the stories above the second story, except three-story buildings used exclusively as stores or for office purposes, and having at least two stairways from the ground floor each 3 or more feet wide and separated from each other by a distance of at least 30 feet, from one of which stairways shall be easy access to the roof, to provide and cause to be erected and affixed thereto a sufficient number of the aforesaid fire escapes, the location and number of the same to be determined by the Commissioners, and to keep the hallways and stairways in every such building as is used and occupied at night properly lighted, to the satisfaction of the Commissioners, from sunset to sunrise.

"Sec. 3. It shall be the duty of the owner entitled to the beneficial use, rental, or control of any building used or intended to be used as set forth in section 1 of this act where fire escapes are required, or any building in which 10 or more persons are employed, as set forth in section 2 of this act where fire escapes are required, also to provide, install, and maintain therein proper and sufficient guide signs, guide lights, exit lights, hall and stairway lights, standpipes, fire extinguishers, and alarm gongs and striking stations in such locations and numbers and of such type and



character as the Commissioners may determine; except that in buildings less than six stories in height, standpipes will not be required when fire extinguishers are installed in such numbers and of such type and character as the Commissioners may determine.

"SEC. 4. The Commissioners are hereby authorized and directed to issue such orders and to adopt and enforce such regulations not inconsistent with law as may be necessary to accomplish the purposes and carry into effect the provisions of this act, and to require any alterations or changes that may become necessary in buildings now or hereafter erected, in order properly to locate or relocate fire escapes, or to afford access to fire escapes, and to require any changes or alterations in any building that may be necessary in order to provide for the erection of additional fire escapes, or for the installation of other appliances required by this act, when in the judgment of the Commissioners such additional fire escapes or appliances are necessary.

"SEC. 5. Each elevator shaft and stairway extending to the basement of the buildings heretofore mentioned shall terminate in a fireproof compartment or enclosure separating the elevator shaft and stairs from other parts of the basement, and no opening shall be made or maintained in such compartment or enclosure unless the same be provided with fireproof doors.

"Such buildings as are used solely for office buildings above the second floor and defined under the building regulations of the District of Columbia to be fireproof are exempted from the requirements of this act as to fire escapes, guide signs, and alarm gongs; but when the face of a wall of any such fireproof building is within 30 feet of a combustible building or structure, or when the side or sides, front or rear of such building or structure faces within 30 feet of a combustible building, or contains a light or air shaft or similar recess within 30 feet of a combustible building, then each and every window or opening in said wall or walls shall be protected from fire by automatic iron shutters or wire glass in fireproof sash and frames.

"SEC. 6. It shall be unlawful to obstruct any hall, passageway, corridor, or stairway in any building enumerated in this act with baggage, trunks, furniture, cans, or with any other thing whatsoever.

"SEC. 7. No door or window leading to any fire escape shall be covered or obstructed by any fixed grating or barrier, and no person shall at any time place any incumbrance or obstacle upon any fire escape or upon any platform, ladder, or stairway leading to or from any fire escape.

"SEC. 8. Any person failing or neglecting to provide fire escapes, guide signs, guide lights, exit lights, hall and stairway lights, standpipes, fire extinguishers, alarm gongs and striking stations, or other appliances required by this act after notice from the Commissioners so to do, shall, upon conviction thereof, be punished by a fine of not less than \$10 nor more than \$100, and shall be punished by a further fine of \$5 for each day that he fails to comply with such notice. Any person violating any other provision of this act or regulation promulgated hereunder shall be punished, upon conviction thereof, by a fine of not less than \$10 nor more than \$100 for each offense.

"SEC. 9. The notice from the Commissioners requiring the erection of fire escapes and other appliances enumerated in this act shall specify the character and number of fire escapes or other appliances to be provided, the location of the same, and the time within which said fire escapes or other appliances shall be provided, and in no case shall more than 90 days be allowed for compliance with said notice unless the Commissioners shall, in their discretion, deem it necessary to extend their time.

"SEC. 10. Such notice shall be deemed to have been served if delivered to the person to be notified, or if left with any adult person at the usual residence or place of business of the person to be notified in the District of Columbia, or if no such residence or place of business can be found in said District by reasonable search, if left with any adult person at the office of any agent of the person to be notified, provided such agent has any authority or duty with reference to the building to which said notice relates, or if no such office can be found in said District by reasonable search, if forwarded by registered mail to the last-known address of the person to be notified and not returned by the post-office authorities, or if no address be known or can be ascertained by diligent search, or if any notice forwarded as authorized by the preceding clause of this section be returned by the post-office authorities, if published on 10 consecutive days in a daily newspaper published in the District of Columbia, or if by reason of an outstanding unrecorded transfer of title the name of the owner in fact cannot be ascertained beyond a reasonable doubt, if served on the owner of record in the manner hereinbefore in this section provided, or if delivered to the agent, trustee, executor, or other legal representative of the estate of such person. Any notice to a corporation shall, for the purposes of this act, be deemed to have been served on such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right, and notice to a foreign corporation shall, for the purposes of this act, be deemed to have been served if served on any agent of such corporation personally, or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in the District of Columbia: *Provided*, That in case of failure or refusal of the owner entitled to the beneficial use, rental, or control of any buildings specified in this act to comply with the

requirements of the notice provided for in section 9, the Commissioners are hereby empowered and it is their duty to cause such erection of fire escapes and other appliances mentioned in the notice provided for, and they are hereby authorized to assess the costs thereof as a tax against the buildings on which they are erected and the ground on which the same stands, and to issue tax-lien certificates against such building and grounds for the amount of such assessments, bearing interest at the rate of 10 percent per annum, which certificates may be turned over by the Commissioners to the contractor for doing the work.

"SEC. 11. The Supreme Court of the District of Columbia, in term time or in vacation, may, upon a petition of the District of Columbia, filed by its said Commissioners, issue an injunction to restrain the use or occupation of any building in the District of Columbia in violation of any of the provisions of this act.

"SEC. 12. As used in this act—

"(a) The terms 'apartment house', 'tenement house', and 'flat' mean a building in which rooms in suites are provided for occupancy by three or more families.

"(b) The term 'rooming house' means a building in which rooms are rented and sleeping quarters provided to accommodate 10 or more persons, not including the family of the owner or lessee.

"(c) The term 'lodging house' means a building in which sleeping quarters are provided to accommodate 10 or more transients.

"(d) The term 'hotel' means a building in which meals are served and rooms are provided for the accommodation of 10 or more transients.

"(e) The term 'elevator shaft' includes a dumbwaiter shaft.

"(f) The term 'fire escape' means an exterior open stairway or arrangement of ladders constructed entirely of incombustible materials and of approved design, or an interior or exterior stairway of fire-resistive construction with enclosing walls of masonry with fire-resistive doors and windows.

"(g) The term 'standpipe' means a vertical iron or steel pipe provided with hose connections and valves, so arranged as to supply water for fire-fighting purposes.

"(h) The terms 'fireproof' and 'fire resistive' have the same meaning as is ascribed to the term 'fire resistive' in the building code of the District of Columbia.

"SEC. 13. All acts or parts of acts inconsistent with this act are hereby repealed."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALFRED HOHENLOHE ET AL.

Mr. PALMISANO. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1932) for the relief of Alfred Hohenlohe, Alexander Hohenlohe, Konrad Hohenlohe, and Viktor Hohenlohe by removing cloud on title, a similar House bill having been passed by the House.

The Clerk read the title of the bill.

Mr. BLANTON. Mr. Speaker, has this bill been passed by the House?

The SPEAKER. A similar bill has been passed by the House and this is a Senate bill.

Mr. BLANTON. And the Senate bill is identical with the bill passed by the House?

The SPEAKER. It is identical with the House bill which has passed the House.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the bill as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is authorized and directed to convey by appropriate quitclaim deed to Alfred Hohenlohe, for life, with remainder to Alexander, Konrad, and Viktor Hohenlohe, their heirs and assigns, all the right, title, and interest of the United States in and to lots 68 and 69 in Abner B. Kelly, trustee's subdivision of part of square 628, as per plat recorded in Liber W.B.M., folio 273, of the records of the office of the surveyor of the District of Columbia. The true intent of this bill is to relinquish and abandon, grant, give, and concede any and all right, interest, and estate, in law or equity, which the United States is, or is supposed to be entitled to in part of said land by escheat because of the death of Catharine B. Hohenlohe, an Austrian citizen, unto her husband, Alfred Hohenlohe, and her minor children, Alexander Hohenlohe, Konrad Hohenlohe, and Viktor Hohenlohe, all Austrian citizens: *Provided, however*, That said Alfred Hohenlohe, Alexander Hohenlohe, Konrad Hohenlohe, and Viktor Hohenlohe, as such aliens, shall sell or otherwise dispose of said interest within 10 years, as provided by the United States Code, title 8, section 73, or such further period as shall be secured to them by any treaty between the United States and the Republic of Austria, or be subject to the same liabilities of escheat proceedings on behalf of the United States as are provided by title 8, of the United States Code or as shall hereafter be provided by law, said period of 10 years to commence to run from the date on which said quitclaim deed shall have been executed by the Secretary of the Interior pursuant hereto.



The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL—1935

Mr. CANNON of Missouri. Mr. Speaker, I call up the conference report on the bill (H.R. 9061) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1935, and for other purposes, and ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The clerk read the statement.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9061) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1935, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 9, 11, 14, 17, 24, 25, 26, 28, 33, 36, 43, 44, 45, 47, 56, 57, 61, 62, 65, 67, 68, 69, 74, 77, 79, 81, 88, 93, 98, 99, 103, 105, 119, and 121.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 8, 10, 12, 13, 16, 18, 20, 21, 23, 30, 32, 35, 37, 38, 40, 46, 50, 51, 52, 53, 54, 55, 63, 70, 71, 73, 75, 76, 78, 83, 84, 85, 87, 89, 91, 94, 95, 96, 97, 100, 101, 102, 104, 107, 108, 109, 110, 111, and 112, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "a sum equal to \$5,700,000 less a sum equal to 70 percent of the amounts expended under the allotments from the Public Works Administration of \$1,759,500 for sewers and \$148,650 for park improvements"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$37,492"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$40,626"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$83,754"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "\$40,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$22,500"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "Provided further,

that the amount expended hereunder shall not exceed \$200,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "\$120,094"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$716,200"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$768,700"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$40,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment, and on page 32 of the bill, in line 10, after the word "therewith", insert "including the Shaw Junior High School,"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$150,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,184,500"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment insert the following: "Provided, That no part of this amount shall be obligated or expended unless and until the Jefferson Junior High School site shall have been acquired within the sum contained in this act for such purpose"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$105,000"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For two combination hose wagons and one pumping engine, triple combination, all motor driven, \$23,500."

And the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$42,998"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "of which not exceeding \$750 shall be available for telephone and telegraph service"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered



80, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$240,000"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$324,000"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$30,000"; and the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,000,000"; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "trucks, and motor vehicles such as are now owned"; and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$310,000"; and the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$160,000"; and the Senate agree to the same.

Amendment numbered 116: That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$60,000"; and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$90,000"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"Sec. 7. No part of the funds appropriated in this act for any activity shall be available for transfer to any other activity or between subheads of the same activity unless specifically authorized by the Director of the Bureau of the Budget."

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 39, 41, 86, 92, and 118.

CLARENCE CANNON,  
THOMAS L. BLANTON,  
B. M. JACOBSEN,  
D. LANE POWERS,

*Managers on the part of the House.*

ELMER THOMAS,  
CARTER GLASS,  
ROYAL S. COPELAND,  
WILLIAM H. KING,  
GERALD P. NYE,  
HENRY W. KEYES,

*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9061) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against

the revenues of such District for the fiscal year ending June 30, 1935, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

On no. 1: Appropriates a lump-sum contribution amounting to a sum equal to \$5,700,000 less 70 percent of the amounts expended under allotments from the Public Works Administration for sewers and park improvements.

On nos. 2 and 3: Appropriates \$32,121, as proposed by the House, instead of \$33,921, as proposed by the Senate, for personal services in the plumbing-inspection division.

On no. 4: Appropriates \$84,672, as proposed by the House, instead of \$86,130, as proposed by the Senate, for personal services in connection with the care of the District Building.

On nos. 5 and 6: Appropriates \$37,492 for the Alcoholic Beverage Control Board, instead of \$28,352, as proposed by the House, and \$55,900, as proposed by the Senate, of which not exceeding \$500 is made available for the purchase of samples, as proposed by the Senate.

On no. 7: Appropriates \$40,626, instead of \$39,654, as proposed by the House, and \$41,760, as proposed by the Senate, for personal services in the office of Superintendent of Weights, Measures, and Markets, the increase over the House figure being for the employment of an additional laborer.

On no. 8: Appropriates \$22,500 for the construction of shelters, paving, and other improvements at the Farmers' Produce Market, as proposed by the Senate.

On nos. 9 and 10: Appropriates \$50,000, as proposed by the House, instead of \$86,823, as proposed by the Senate, for personal services under the Public Utilities Commission; and appropriates \$1,500 for general expenses of such commission, as proposed by the Senate, instead of \$1,000, as proposed by the House.

On nos. 11 and 12: Appropriates \$25,000, as proposed by the House, instead of \$32,500, as proposed by the Senate, for maintenance, repairs, fuel, etc., under the Free Public Library; and makes available immediately \$4,500 of the appropriation for the Georgetown branch library to be used in the preparation of plans and specifications, as proposed by the Senate.

On nos. 13 and 14: Appropriates \$64,827, as proposed by the Senate, instead of \$63,531, as proposed by the House, for personal services in the office of the register of wills; and appropriates \$9,000, as proposed by the House, instead of \$10,000, as proposed by the Senate, for miscellaneous and contingent expenses for the same office.

On nos. 15 and 16: Appropriates \$83,754 for personal services in the office of recorder of deeds, instead of \$75,754, as proposed by the House, and \$100,000, as proposed by the Senate, and appropriates \$10,000 for general expenses of such office, as proposed by the Senate, instead of \$7,500, as proposed by the House.

On nos. 17 and 18: Appropriates \$36,000, as proposed by the Senate, instead of \$35,000, as proposed by the House, for contingent and miscellaneous expenses of the District government, and eliminates \$250 inserted by the Senate to permit the District of Columbia to accept membership in the American Association of State Highway Officials.

On no. 19: Eliminates language proposed by the Senate authorizing the employment of personal services out of the appropriation for printing and binding; and appropriates \$40,000, as proposed by the Senate, instead of \$35,000, as proposed by the House, for the item.

On nos. 20 and 21: Appropriates \$64,806, as proposed by the Senate, instead of \$60,000, as proposed by the House, for operation, maintenance, care, etc., of the central garage.

On no. 22: Appropriates \$22,500, instead of \$20,000, as proposed by the House, and \$25,000, as proposed by the Senate, for postage.

On no. 23: Eliminates the word "all" in connection with the employment of personal services under the gasoline-tax fund for street and road improvement and repair, as proposed by the Senate.

On no. 24: Strikes out the provision inserted by the Senate providing \$9,000 for surveys, investigations, preparation of plans and specifications for a viaduct or bridge in line of Franklin Street NE.

On No. 25: Strikes out the item inserted by the Senate appropriating \$450,000 for the construction of a viaduct or bridge in line of Michigan Avenue NE.

On no. 26: Corrects a total.

On no. 27: Restores the language stricken out by the Senate and fixes the amount which may be expended thereunder for opening and widening streets at a maximum of \$200,000, instead of \$50,000, as proposed by the House.

On no. 28: Restores the provision eliminated by the Senate prohibiting the use of funds for the operation of a testing laboratory under the highways department for the testing of materials.

On no. 29: Appropriates \$120,094, for assessment and permit work under the sewer department, instead of \$20,094, as proposed by the House, and \$65,094 and an unexpended balance, as proposed by the Senate.

On no. 30: Appropriates \$126,900, as proposed by the Senate, instead of \$124,335, as proposed by the House, for personal services in connection with the collection and disposal of refuse.

On no. 31: Appropriates \$716,200 for the collection and disposal of garbage, instead of \$700,000, as proposed by the House, and \$732,400, as proposed by the Senate.

On no. 32: Appropriates \$33,600, as proposed by the Senate, instead of \$30,000, as proposed by the House, for general maintenance, repairs, and improvements to public playgrounds.

On no. 33: Appropriates \$15,000, as proposed by the House, instead of \$20,500, as proposed by the Senate, for placing wires of fire-alarm, police-patrol, and telephone services underground.

On no. 34: Appropriates \$768,700, for street lighting, instead of \$700,000, as proposed by the House, and \$837,400, as proposed by the Senate.

On no. 35: Appropriates \$28,000 for the purchase and installation of fire-alarm transmitting apparatus, as proposed by the Senate.

On nos. 36, 37, 38, 40, and 47: Strikes out the Senate provision providing for compensation and traveling expenses of educational consultants employed in character-education work and appropriates additional amounts, as proposed by the Senate, for personal services in connection with character education in the schools of the District under the following items: Administrative and supervisory officers, \$3,780; clerks and other employees, \$18,306; night schools, \$5,839; and strikes out \$10,000 for contingent expenses inserted by the Senate for such purpose.

On no. 42: Appropriates \$40,000 for the community-center department of the public schools, instead of \$36,664, as proposed by the House, and \$50,000, as proposed by the Senate.

On no. 43: Appropriates \$8,000, as proposed by the House, instead of \$9,000, as proposed by the Senate, for maintenance of schools for tubercular and crippled pupils.

On nos. 44 and 45: Appropriates \$18,500, as proposed by the House, instead of \$21,500, as proposed by the Senate, and strikes out language of the Senate intending to make the increase in the appropriation available for transportation of pupils attending sight-saving classes in the public schools.

On no. 46: Appropriates \$250,000 for fuel, gas, and light and power for the public schools, as proposed by the Senate, instead of \$225,000, as proposed by the House.

On no. 48: Omits the matter inserted by the Senate appropriating \$15,000 for reequipping and refinishing equipment of the Shaw Junior High School, and on page 32, line 10, after the word "therewith", inserts the following: "including the Shaw Junior High School."

On no. 49: Appropriates \$150,000 for furniture and equipment for the Woodrow Wilson Senior High School, instead of \$175,000, as proposed by the Senate.

On no. 50: Strikes out the limitation inserted by the House prohibiting the use of funds for the purchase of books

for the free use of nonresident pupils, as proposed by the Senate.

On nos. 51, 52, 53, 54, 55, 56, and 57, relating to buildings and grounds, public schools: Appropriates funds for the construction of new schools in the following amounts, as proposed by the Senate: For the Woodrow Wilson High School (additional amount) \$200,000, making \$600,000 available; an additional amount for completion of Logan School, \$5,500; for completing a junior high school in Anacostia, \$180,000; for construction of an addition to the Phelps School, \$65,000; for construction of an addition to the Deal Junior High School, \$166,000; and strikes out the following items for school construction inserted by the Senate: for extension of the auto repair shop and construction of a gymnasium at the Armstrong High School, \$70,000; and the construction of a four-room addition to the Bunker Hill School, \$75,000.

On no. 58: Corrects a total.

On nos. 59 and 60: Appropriates \$55,000 for the purchase of additional land at the Phelps Vocational School, as proposed by the Senate, and \$105,000 as an additional amount for the purchase of a site for the Jefferson Junior High School, instead of \$150,000, as proposed by the Senate, with the condition that no part of the sum for the Phelps Vocational School shall be obligated or expended until the site for the Jefferson Junior High School shall have been acquired within the sum recommended in the bill.

On no. 61: Restores the provision inserted by the House prohibiting the use of appropriations for public schools for the instruction of children under 5 years of age, with certain exceptions.

On no. 62: Appropriates \$109,980, as proposed by the House instead of \$113,400, as proposed by the Senate, in eliminating the appropriation for a microanalyst from the item for personal services under the Metropolitan Police.

On no. 63: Appropriates \$23,000, as proposed by the Senate, instead of \$21,000, as proposed by the House, for the purchase of uniforms and equipment for members of the fire department.

On no. 64: Appropriates \$23,500 for hose wagons and pumping engine for the fire department, instead of \$30,000, as proposed by the Senate.

On no. 65 and 66, relating to the dispensaries for tuberculosis and venereal diseases: Strikes out the language proposed by the Senate and appropriates \$42,998, instead of \$34,398, as proposed by the House, and \$91,718, as proposed by the Senate, the increase over the House figure amounting to \$8,600, being for the purchase of an X-ray machine, two ultraviolet lamps, and pneumo-thorax outfit.

On no. 67: Appropriates \$84,554 for hygiene and sanitation, public schools, as proposed by the House, instead of \$152,096, as proposed by the Senate.

On no. 68: Appropriates \$45,834, as proposed by the House, instead of \$91,078, as proposed by the Senate, for child welfare and hygiene under the Health Department.

On nos. 69 and 70, relating to the juvenile court: Appropriates \$52,938, as proposed by the House, instead of \$53,946, as proposed by the Senate, for personal services, and provides \$2,750, as proposed by the Senate, instead of \$2,000, as proposed by the House, for miscellaneous expenses.

On nos. 71 and 72, relating to the police court: Appropriates \$90,000, for personal services, as proposed by the Senate, instead of \$85,000, as proposed by the House, and restores the language of the House limiting the amount to be available for telephone and telegraph service amended so as to make \$750 available for such purposes.

On nos. 73, 74, and 75, relating to the municipal court: Appropriates \$68,166, as proposed by the Senate, instead of \$63,000, as proposed by the House, for personal services; makes available \$4,000 for compensation of jurors, as proposed by the House, instead of \$6,165, as recommended by the Senate; and grants \$3,000 for contingent expenses, as proposed by the Senate, instead of \$2,750, as proposed by the House.

On nos. 76, 77, and 78, relating to the Supreme Court of the District of Columbia: Appropriates \$129,380, as proposed by the Senate, instead of \$125,575, as proposed by the



House, for personal services; provides \$85,000 for fees of jurors and witnesses, as proposed by the House, instead of \$100,000, as proposed by the Senate, and makes available \$31,761, as proposed by the Senate, instead of \$30,000, as proposed by the House, for care and protection of the courthouse.

On no. 79: Appropriates \$96,000 for personal services, Board of Public Welfare, as proposed by the House, instead of \$101,646, as proposed by the Senate.

On no. 80: Appropriates \$240,000 for board and care of children under the Board of Public Welfare, instead of \$230,000, as proposed by the House, and \$250,000, as proposed by the Senate.

On no. 81: Appropriates \$68,823, as proposed by the House, instead of \$77,823, as proposed by the Senate, for personal services at the jail.

On no. 82: Appropriates \$324,000 for personal services at the workhouse and reformatory, instead of \$280,000, as proposed by the House, and \$337,770, as proposed by the Senate.

On no. 83: Appropriates \$335,000 for maintenance and support of inmates at the workhouse and reformatory, as proposed by the Senate, instead of \$320,000, as proposed by the House.

On nos. 84 and 85: Eliminates the provision of the House restricting the amount expendable for the purchase of land to \$500, in connection with the construction of a permanent water-supply system at the workhouse and reformatory, as proposed by the Senate, and appropriates \$52,000 for the cost of the project, as proposed by the Senate, instead of \$50,000, as proposed by the House.

On nos. 87 and 88, relating to medical charities: Appropriates \$30,000 for Children's Hospital, as proposed by the Senate, instead of \$10,000, as proposed by the House; and provides \$10,000 for the Home for Incurables, as proposed by the House, instead of \$25,000, as proposed by the Senate.

On no. 89: Appropriates \$81,567, as proposed by the Senate, instead of \$77,823, as proposed by the House, for personal services at the Tuberculosis Hospital.

On nos. 90 and 91, relating to the children's tuberculosis sanatorium: Appropriates \$30,000 for provisions, fuel, etc., instead of \$25,000, as proposed by the House, and \$35,000, as proposed by the Senate; and provides \$2,000 for repairs and improvements, as proposed by the Senate, instead of \$500, as proposed by the House.

On nos. 93 and 94: Appropriates \$323,928 for personal services at Gallinger Hospital, as proposed by the House, instead of \$372,528, as proposed by the Senate; and provides \$290,000 for completing construction of an additional ward building, as proposed by the Senate, instead of \$262,000, as proposed by the House.

On nos. 95, 96, and 97, relating to the District Training School: Appropriates \$81,486, as proposed by the Senate, instead of \$79,272, as proposed by the House, for personal services; provides \$80,000, as proposed by the Senate, instead of \$75,000, as proposed by the House, for maintenance; and grants \$1,000 for one 2-ton truck, as proposed by the Senate, instead of \$650 for a 1½-ton truck, as proposed by the House.

On nos. 98, 99, and 100, relating to the Industrial Home School for Colored Children: Appropriates \$31,000 for personal services, as proposed by the House, instead of \$32,798, as proposed by the Senate; and provides \$25,000, as proposed by the Senate, instead of \$24,000, as proposed by the House, for maintenance.

On nos. 101, 102, 103, 104, and 105, relating to the Home for Aged and Infirm: Appropriates \$54,900, as proposed by the Senate, instead of \$53,496, as proposed by the House, for personal services; provides \$4,500, as proposed by the House, instead of \$6,000, as proposed by the Senate, for repairs and improvements; makes available \$750 for the purchase of a station wagon-truck, as proposed by the Senate, instead of \$650, as proposed by the House; and eliminates \$11,000 inserted by the Senate for the construction of addition to the colored women's ward.

On nos. 106 and 107, relating to emergency relief: Appropriates \$2,000,000 for this purpose, instead of \$1,300,000, as

proposed by the House, and \$3,000,000, as proposed by the Senate, and eliminates the limitation of the House on the percent available for personal services, as proposed by the Senate.

On nos. 108, 109, and 110, relating to the militia: Appropriates \$33,300 for this purpose, as proposed by the Senate, instead of \$32,000, as proposed by the House.

On no. 111: Appropriates \$314,880 for personal services, national capital parks, as proposed by the Senate, instead of \$300,000, as proposed by the House.

On no. 112: Appropriates \$33,096 for the National Capital Park and Planning Commission, as proposed by the Senate, instead of \$31,000, as proposed by the House.

On no. 113: Provides for the maintenance of trucks and motor vehicles, such as are now owned by the water department, from the appropriation for maintenance of the distribution system.

On nos. 114, 115, 116, and 117, relating to the water department: Appropriates \$310,000 for maintenance of the distribution system, instead of \$300,000, as proposed by the House, and \$323,950, as proposed by the Senate; provides \$160,000 for extension of the distribution system, instead of \$142,000, as proposed by the House, and \$213,750, as proposed by the Senate; allows \$60,000 for installing and repairing water meters, instead of \$50,000, as proposed by the House, and \$85,500, as proposed by the Senate; and grants \$90,000 for replacement of old mains and divide valves, instead of \$75,000, as proposed by the House, and \$117,900, as proposed by the Senate.

On no. 119: Eliminates the language inserted by the Senate providing for the payment for rental of storage space for materials and supplies belonging to the District government.

On no. 120: Restores the language stricken out by the amendment of the Senate amended so as to permit the transfer of such funds when specifically authorized by the Director of the Bureau of the Budget.

On no. 121: Corrects a section number.

The committee of conference report in disagreement the following amendments of the Senate:

On no. 39, relating to the appropriation for teachers and librarians and the fixing of salaries by the board of education for persons employed in connection with character education.

On no. 41, providing for the education of children between certain ages of those who lost their lives during the World War.

On no. 86, relating to condemnation by the Attorney General of land on the Occoquan Creek and Elkhorn Run, Va., in connection with the construction of a water-supply system.

On no. 92, relating to an appropriation of \$500,000 for the construction of additions to the children's unit of the Children's Tuberculosis Sanatorium, and the preparation of plans and specifications for the District of Columbia Tuberculosis Sanatoria at Glenn Dale, Md.

On no. 118, making the assessment rate to take effect on July 1, 1934, for water and sewer mains, applicable to water and sewer mains laid in the Barry Farm subdivision subsequent to January 1, 1923.

CLARENCE CANNON,  
THOMAS L. BLANTON,  
B. M. JACOBSEN,  
D. LANE POWERS,  
J. WILLIAM DITTER,

*Managers on the part of the House.*

Mr. DITTER. Mr. Speaker, I ask unanimous consent that my name may be included with the names of the other managers on the part of the House in this conference.

The SPEAKER pro tempore (Mr. SIROVICH). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I yield 15 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, the American taxpayers back home are patient and long-suffering. They let things



go along as they have gone on here because they do not know about them. They do not know that the tax rate here for the Washington people this fiscal year is only \$1.50 on the \$100, with the assessed valuations reduced this year \$80,000,000, and that with no bonded indebtedness, this District has a surplus this year of \$5,000,000. They do not know that the gasoline tax here is only 2 cents on the gallon. They do not know that there is no income tax, and no inheritance tax, or that the license tax on trucks and fine limousines is only \$1 per year. They do not know that the 79,000 school children here get everything furnished free, including all books and equipment, from the kindergarten to the highest schools here, with no special school tax at all. They do not know that the water rate here per ordinary family is only about \$7 per year, with 10,000 cubic feet the allowance. They do not know that after premises are once connected with the sewer system here, there is never any charge for such service thereafter. They do not know that there is no charge to the people for gathering and disposing of trash, ashes, or garbage. They do not know that in the residential sections and elsewhere the owners are not charged for the beautiful trees, but that same are furnished free, planted, nurtured, sprayed, and cared for and pruned and looked after for all time without any direct cost to the people.

The taxpayers of this Nation, Mr. Speaker, do not know that for many years the United States Government with their tax money out of the Federal Treasury paid half of all the civic expenses of Washington, paving streets, building bridges, street lighting, police service, fire service, school buildings, playgrounds, hospitals, school salaries, and school expenses, court expenses, and all other of the growing expenses of this city.

The people of this Nation do not know that this Government at the expense of the American people maintains here a big colored university, Howard University, upon which it has spent millions; that this Government maintains here a number of fine hospitals, for which Washington people pay nothing; that this Government has about 79,000 Federal employees here whom it pays regularly every 2 weeks with new money that when first spent is spent in Washington, and this big Federal pay roll keeps up the merchants, the theaters, the newspapers, the doctors, the lawyers, the dentists, and all the business interests of Washington.

The people of this Nation do not know that this city is constantly filled with hundreds of thousands of tourists who come here sight-seeing, to visit the various Government institutions, and spend large sums of money here, which is a bonanza for the commercial interests of Washington.

Some of these days these people back home are going to wake up and find out who in Congress is responsible, and they are going to require a reckoning. Some of these days they are going to require their Representatives in Congress to tell these high-hat spenders in Washington, who have been living off this Government for a quarter of a century or more, that, if they do not like the 10-mile square that has been set apart here for the Nation's Capital to transact the business of the Government, if they do not like it, let them get up and move out.

This 10-mile square has been dedicated to the Government's business. And it is going to remain so, and Congress is going to continue to control it.

Mr. COX. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. COX. Has the gentleman ever given thought to ceding the 10-mile square back to the States?

Mr. BLANTON. No; it belongs to the United States. Our Government needs it for a Capital, in which to transact our business. We are going to keep it. Incidentally, we allow the people living here to acquire property and grow rich. They have become so arrogant, however, that the tail is wagging the dog. They have gotten so they think the whole District of Columbia is for their pleasure, profit, and benefit.

Now, I want to call your attention to what has been done. You have not an abler Member of this Congress than your

chairman of the subcommittee, or a man who is better posted, or a man who is more fearless, or a man who knows more about the District government business, than our good friend the distinguished gentleman from Missouri [Mr. CANNON]. [Applause.]

I think that he is one of the most valuable men in this Congress. [Applause.] He has brought you a conference report which not a single Member here should vote against.

A few years ago, when the expenses of this District got up to \$20,000,000, everybody thought it was outrageous. For the present fiscal year this Congress last session gave to the District government for the fiscal expenses of the District \$30,375,000. Congress adjourned after giving them that money.

Just as soon as Members of Congress went home, the Commissioners went down to the P.W.A. and the C.W.A. and altogether got gifts aggregating the huge sum of about \$11,000,000 more—a pure gift. Your district or mine did not get that. Your State did not get that. When I say \$11,000,000 from the P.W.A. and the C.W.A. that means nothing but public tax money out of the Treasury of the United States. That means the taxpayers' money, for it all comes out of the taxpayer's pocket.

They got \$11,000,000 gifts additional to the \$30,375,000. Congress did not pass on this \$11,000,000; the Budget did not pass on it; the President did not pass on it; they went down here to P.W.A. and C.W.A. and got it.

In addition to that \$11,000,000 gift, Secretary Ickes said, "You want \$2,000,000 more for improvements, you say. When we let the money out to the States and the municipalities, the Government gives them 30 percent of it, and they have to pay back 70 percent. We will let you have the \$2,000,000 more, but you will have to pay 70 percent of it back." Such a notation of having to pay back 70 percent of the \$2,000,000 was entered by P.W.A. The P.W.A. expected the Commissioners to fix it up so that Congress would deduct it from the Federal contribution, because they cannot give bonds.

Back in 1878 Congress wisely provided by statute that the District of Columbia could not borrow money, because the District had gotten badly in debt. It was an outrageous debt which they got into, and there were connected with it graft and corruption. As I say, they got into debt and the Government of the United States had to step in and pay off that debt.

Then the Congress passed this law in 1878:

There shall be no increase in the amount of the total indebtedness of the District of Columbia existing on June 11, 1878, and any officer or person who shall knowingly increase or aid or abet in increasing such total indebtedness shall be deemed guilty of a high misdemeanor and on conviction thereof shall be punished by imprisonment not exceeding 10 years or by fine not exceeding \$10,000.

Congress was so incensed about having to take this District out of debt at that time that it provided that if the District Commissioners should ever aid or abet in contracting another debt for this District they should be guilty of an offense and be punished with 10 years' confinement in the penitentiary or a fine of \$10,000.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. In a moment. That has been the law since 1878, and this District is a city of less than half a million people. To be exact, the last census gave Washington 486,000 people. A third of that population is colored. They have been drifting in here from everywhere. This is the only city in the United States that has not got an indebtedness. This is the only city in the United States that does not owe a dollar. This is the only city in the United States that since 1878 has not had to provide a sinking fund. This is the only city in the United States that has not got a big tax burden on the people. Since 1878 we have kept the city of Washington and the District of Columbia absolutely out of debt on a cash basis, because your people and mine have been taxed a great big sum to pay for it every year.

Mr. McCANDLESS. Mr. Speaker, will the gentleman yield?



Mr. BLANTON. No; not at present. I am going to get these facts before you, and then I shall yield. After the people of the District had received this \$11,000,000 gift, and after they had received the \$2,000,000 advancement which Mr. Secretary Ickes expected Congress would take out of the Federal contribution this year to pay back the 70 percent of it, your committee, headed by the distinguished gentleman from Missouri [Mr. CANNON] came here and provided \$32,650,657 as an appropriation for this year's budget. The bill went to the Senate, and the Senate committee amended it 120 times. They put 120 amendments on the bill, and each amendment gave more money. If you were not familiar with District business, intimately familiar with it, it would take you 3 months to find out what all those amendments meant to the taxpayers of the District and the United States.

Mr. COX. And in every instance increased the appropriation.

Mr. BLANTON. Yes; increased the appropriation in every instance, and you can see by the hearings that someone asked the Commissioners, in substance, "Now, can you think of anything else that we can do for the District?" The Senate increased the bill to \$37,678,459. I quote from the Senate hearings, which were begun on Wednesday, April 25, 1934, at page 371, from the testimony of Mr. Donovan, the District auditor:

Mr. DONOVAN. Several days ago, Mr. Chairman, you asked the Commissioners to consider what, if any, further needs be provided for in this bill for 1935. The Commissioners have given consideration to that suggestion.

Just as if they had said, "Come on, boys, and hunt up something else that we can put in the bill in addition to this \$37,678,459." That is what that means.

Mr. MAY. Mr. Speaker, will the gentleman yield there?

Mr. BLANTON. Yes; to my good friend from Kentucky.

Mr. MAY. The gentleman does not mean to intimate that there is anybody in the District who would go out and hunt up something more that they could get out of the taxpayers of the country?

Mr. BLANTON. The District administration here in the District Building, unfortunately, for years back, would take every dollar of money that you will give them and spent it each fiscal year. That is why we must protect the taxpayers. When the bill passed the House, we provided that 70 percent, not of the \$11,000,000, which was a pure gift, but of the extra \$2,000,000 advanced should be paid back to the Government out of the Federal contribution. We took it out of the Federal contribution. Immediately the Washington newspapers began to get busy preaching repudiation, and the District officials went over to the Senate and said, "Why, the District has not any power to borrow, there is no law for it, Congress passed a law that the District could not borrow, and, therefore we considered it a pure gift. We don't want to pay it back." And the Senate committee was willing not to make them pay it back.

Mr. RICH. The gentleman says that the House passed a bill of \$32,650,657 and that the Senate increased it to \$37,678,479. Does not the gentleman think then that the Senate gave it back to them?

Mr. BLANTON. But we managers on the part of the House in behalf of the people of the country forced the Senate to recede and forced the District to pay back this \$1,330,000, which would be 70 percent of the approximately \$2,000,000 advanced. We took it out of the Federal contribution.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. BLANTON. I will yield in a few moments.

The contention was made that we had passed a law that the District could not borrow money, and therefore when the P.W.A. advanced it \$2,000,000 we could not provide for them to pay this back like your municipalities in the States are paying it back.

All the money that St. Louis has gotten from the P.W.A. they have had to give bonds to pay it back 70 percent. Your municipalities back home have not gotten very much from P.W.A. Texas has not gotten much from P.W.A. It is 900

miles from Texarkana, where Mr. PATMAN lives, through my home city on Highway No. 1, to El Paso, where Mr. THOMASON lives, in Texas, and 900 miles from where Mr. JONES lives in Amarillo to where Mr. WEST lives in Brownsville.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Speaker, I yield myself 15 additional minutes.

Mr. COCHRAN of Missouri. Will the gentleman yield for me to ask him a question on this amendment no. 1 that he is talking about?

Mr. BLANTON. I could not deny my good friend from Missouri anything. Anything I have he is welcome to. I yield to the gentleman.

Mr. COCHRAN of Missouri. In amendment no. 1 it is provided for a sum equal to \$5,700,000 less 70 percent of the amounts expended under allotments from the Public Works Administration for sewers and park improvements. Suppose we pass the other bill that is pending, where a special rule has been provided, to borrow money from the Public Works Administration for the construction of a sewerage system; will this apply?

Mr. BLANTON. Yes.

Mr. COCHRAN of Missouri. I thought so.

Mr. BLANTON. Of course it applies.

Mr. COCHRAN of Missouri. I am glad to have the frank statement from the gentleman from Texas.

Mr. BLANTON. This \$2,000,000 is money they have already gotten. The other bill seeking to authorize the District to borrow \$20,000,000 is another proposition. This \$2,000,000 they have already gotten, of which Mr. Ickes said they must pay 70 percent back. They have spent it. We are making them pay back 70 percent. But they got pure gifts aggregating \$11,000,000, none of which is to be paid back.

Mr. BLANCHARD. And they ought to pay it back.

Mr. BLANTON. Of course. And we House managers made them pay it back. Anybody except someone who has a special interest must admit that the District should pay back this \$1,330,000.

Mr. COCHRAN of Missouri. Mention me. I am interested.

Mr. BLANTON. I know that when my friend says that he is afraid the people are to be polluted by the Potomac waters, but George Washington was not polluted. He lived down here below Washington at Mount Vernon on the Potomac. The same system is in vogue here now that was in vogue in George Washington's day. We have been quite healthy here in Washington for the past 100 years.

Mr. COCHRAN of Missouri. What was the population of the District when George was around?

Mr. BLANTON. Well, wait, please, just a minute. I have been fair with my friend. I do need my time to discuss these facts.

Mr. COCHRAN of Missouri. What was the population of the District then?

Mr. BLANTON. Mr. Speaker, I ask that for the present I be not interrupted any further, until I present these facts.

The SPEAKER pro tempore. The gentleman from Texas does not yield.

Mr. BLANTON. We had to enter that conference over there with a bunch of our Senator friends sitting around the table, all seeking to uphold their 120 amendments, every one of them increasing this bill, and our problem was to try to get together. You know what we had to do to get together. We had to recede and concur on many amendments.

Mr. MAY. Will the gentleman yield?

Mr. BLANTON. Please let me finish. I do not want to take up too much time. Please let me make a connected statement. The Washington papers said that we were depriving tubercular patients, including little children, of needed facilities to combat tuberculosis. I have here pictures of the new \$625,000 tuberculosis hospital that has not yet been opened that we have recently built here. It will be opened next month. I ask you to look at these pictures. We have built it. That is one of the finest tuberculosis hos-

pitals in the country, and it was built at a cost of \$625,000. It is brandnew. It will be open next month. It will provide 150 of the most modern beds in the country.

Mr. COX. I hope the gentleman will not forget to tell the House the total of the grant Congress has made to the District of Columbia of the people's money.

Mr. BLANTON. The gentleman from Kentucky, Mr. Ben Johnson, who served here for years, who was the distinguished chairman of the District Committee, who made one of the closest surveys of fiscal affairs any man has ever made, and who was an able man and a fair man, said one evening, "If you would check up all that this District government owes the Federal Government of the United States for funds it has gotten out of the Treasury, it would amount to \$581,000,000."

Mr. COX. And that was 10 years ago?

Mr. BLANTON. That was about 10 years ago he made that statement. Do you know how much welfare aid has been given to the city of Washington during the present fiscal year? Eight hundred thousand dollars per month. Your home people do not get \$800,000 per month from the Federal Government for relief.

Mr. RICH. Will the gentleman yield?

Mr. BLANTON. No. I am sorry. I will give the gentleman some facts that he should study over, if he will let me finish. They got \$800,000 for April. They have gotten \$800,000 for May.

Do you get that much back home? No. No; you do not; and I want to read you excerpts from some of the papers that you may know what they say as to who is getting this relief. I quote first from the Washington Post of April 29, 1934:

District of Columbia relief cost is laid to outsiders. Major Gotwals feels third of those drawing aid not natives.

Gotwals is of the opinion that there are 8,000 families receiving aid who are not entitled to it. The average budgetary allowance is \$30 a month, which totals \$240,000.

That is \$240,000 given to persons not entitled to receive it.

I read now an article from the Washington Herald of April 29, 1934:

Major Gotwals claims a relief racket here. Declares third of 25,000 now on the rolls are not entitled to aid; bases assertion on surveys.

At least one-third of the 25,000 persons on the relief rolls are not entitled to aid, Maj. John C. Gotwals, Engineer Commissioner, said yesterday.

Commissioner Gotwals is confident thousands of persons now receiving District aid have come in here from other cities with the express purpose of living off of the District.

Hopkins yesterday allotted the sum of \$400,000 to the District government for the relief needs during the first 2 weeks in May. At the same time Hopkins granted \$71,432 for transient relief and \$5,780 for student relief in the District.

Now, I want to read from the evidence of the Chairman of the Board of Commissioners in Washington; and I quote from our hearings. This is from the testimony of Commissioner Hazen, who said:

In the fiscal year 1934—

That is the year that will end June 30, 1934—

the tax rate of \$1.70 which has been in effect during the fiscal years 1928 to 1933 inclusive, has been reduced to \$1.50. This reduction represents a saving to the taxpayers in the fiscal year 1934 of \$2,445,000.

This is a saving for Washington people. They talk about the assessed value being high. That is the most foolish yarn I have ever heard.

Last year with the reduced tax rate of \$1.50 they also reduced the assessed value of the property.

Listen to this, the testimony of the Chairman of the Board of Commissioners, Mr. Hazen:

In the fiscal year 1934 the assessed valuation of real estate has been reduced by \$80,000,000, a saving to the property owners here of \$1,200,000 per year.

I call attention also to the following statement:

For the next year, 1935, it is also contemplated that a further reduction in the assessed valuation of real estate of approximately \$50,000,000 will be made.

They reduced the assessed valuation here for the present fiscal year \$80,000,000, and they intend to reduce it again this year another \$50,000,000.

Mr. BLOOM. They are not reducing the rents.

Mr. BLANTON. They have not reduced the rents; rents are higher here than in any other place in the country, and Congress is permitting it.

In addition to that Commissioner Hazen calls attention to the fact that the water rate has been reduced 25 percent, and this is in addition to the 10-percent reduction that is given the people of Washington for paying the water bills on time. Down in my State an ordinary family has to pay at least \$5 a month for water; that is, \$60 a year. Under the present system in the District of Columbia an ordinary family, an ordinary household, pays about \$7 a year, or about 50 cents a month.

Let me remind you also that they increased the minimum water allowance to each family at that low rate from 7,500 cubic feet to 10,000 cubic feet, and this for about 50 cents a month per family. Your folks at home are paying for part of it.

Tomorrow a resolution will be presented to the House, adopted by the Committee on Rules by a divided vote of 6 to 5, in the face of that statute which has prevented the District of Columbia from borrowing any money since 1878, that will make in order this \$20,000,000 loan bill.

What are you going to do with this bill when it comes up, in the face of all these facts? Here is a tax rate the lowest in the country, but they are fixing to cover up that. The newspapers are trying to arrange it. They are saying that with this Washington tax rate reduced so low the people of the country are going to kick about it; so they have a scheme to take care of it. They say, "We will decrease the assessment; we will cut the assessment in half and raise the rate."

A piece of property worth \$20,000 that is now assessed for \$10,000 will, under their plan, be assessed for \$5,000. Let me show you what the Washington paper said about that. I read from the Washington Daily News.

That is the only other Washington paper, besides the splendid Washington Star, that is a decent publication in Washington. The News, while small, is getting more decent every day. If it were not for the Washington Star and the Washington News, we would not have a dependable paper in the city of Washington. Notice what this News says. In big headlines there is the statement:

Plan offered to end criticism of District of Columbia lump sum. Senator THOMAS advises cut in assessments and tax rate boost.

Larger annual Federal contributions to District expenses are contemplated in a plan outlined to the Commissioners yesterday by Chairman THOMAS, Democrat, of Oklahoma, of the Senate District Appropriations Committee.

THOMAS' plan would provide for a reassessment of property for tax purposes on a lower scale.

This would mean that in the case of property now valued at \$100, on which \$1.50 in taxes is paid, the property might be assessed at \$50 and the tax rate increased to \$3.

That is to do what? That is to keep the people in the States from kicking.

Mr. RICH. What people are kicking?

Mr. BLANTON. The taxpayers back home.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. MAY. Will the gentleman tell us what he wants us to do and when the matter comes up?

Mr. BLANTON. It will come up tomorrow. We must kill this \$20,000,000 loan bill tomorrow. This does Senator THOMAS an injustice, I am sure, because I do not believe he is in favor of such a plan. In Oklahoma City, in the Senator's State, they are paying about \$7 instead of \$1.50 per \$100 tax. If he were in favor of a plan like that, how could he go back to Oklahoma and face those people?

Let me tell you something about this loan bill for \$20,000,000 that you are going to take up tomorrow. Do you know where some of that money is going? Over in Virginia! I do not blame my friend the gentleman from Virginia [Mr. SMITH], who is a member of the Rules Committee, for getting this rule for his pet measure. He is getting a big handout. There is a lot of money to be spent in Virginia over in his district. I have served here with the man who preceded him in Congress, Hon. Walton Moore,



a splendid fellow, who had the longest arm that I ever saw on any legislator. He reached into the Treasury time after time and took out more money for Virginia and his district than the State of Texas has received together in the history of our country. Mr. SMITH is a member of the Rules Committee. He helped vote out this rule on a divided vote of 6 to 5. I do not blame him. He is getting this for his district. Let me show you now how they will spend some of that \$20,000,000.

Our splendid chairman, the gentleman from Missouri [Mr. CANNON], had a fellow before us by the name of Mr. Finnan, who has just been made superintendent of some parks here in Washington. Here is the gentleman's testimony before our committee. He said that back in 1925 out in Colorado he was getting \$90 a month. Then in 1931 he was receiving \$1,800 a year, which is \$150 a month. Then he was raised on up to \$3,200, and then finally he was drawing \$3,800. He happens to have a friend at court. I quote the following excerpts from what Mr. Finnan testified to:

Mr. BLANTON. Your salary now is \$5,600?

Mr. FINNAN. Yes, sir.

Mr. BLANTON. And has been \$5,600 since last October?

Mr. FINNAN. It has been \$5,600 since last November 1, when I took office here.

Mr. BLANTON. Is there any movement on foot for you to take charge of what is known as the old Klingle House out here in Rock Creek Park?

Mr. FINNAN. Yes, sir; there is.

Mr. BLANTON. Yes; but there is a tentative understanding, is there not, for you to move into the house?

Mr. FINNAN. We are submitting an estimate now, Mr. BLANTON, to the Public Works Administration to give us enough money to restore the house.

Mr. BLANTON. When you first came here you paid \$100 rent out in Chevy Chase, did you not?

Mr. FINNAN. Yes, sir; that is correct.

Mr. BLANTON. Now you are living at the Ontario, are you not?

Mr. FINNAN. Yes, sir.

Mr. BLANTON. And you are paying what?

Mr. FINNAN. \$62.50.

Mr. BLANTON. You never paid that before since you first came into the service, did you?

Mr. FINNAN. No, sir.

Mr. BLANTON. Well, you have had architects and other people to go out there and look this house over and measure it for purposes of renovation?

Mr. FINNAN. For restoration.

Mr. BLANTON. And to arrange about putting in more bathrooms and things of that kind?

Mr. FINNAN. Yes, sir.

Mr. BLANTON. And you are going to spend \$8,000 on it, are you not?

Mr. FINNAN. If the present plans, Mr. BLANTON, are carried out, it would be \$11,000.

They brought Finnan here, formerly a little \$90-a-month employee back in 1925 in Colorado, and increased his salary from \$3,800 to \$5,600 over night last November. They are taking this Klingle House away from a good Democrat and his family, who has had it for 15 years, and they are giving it to Mr. Finnan, and they are going to spend \$11,000 of this loan money here to put in a bunch of new bathrooms out there for Mr. Finnan. We must kill that \$20,000,000 loan bill tomorrow.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 20 minutes to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Speaker, I was indeed surprised when the distinguished gentleman from Texas framed the indictment which he just did against the administration. Of all men who have been defenders of the present administration, to frame an indictment against the administration program for incompetency, laxity, and lack of due care in the administration of P.W.A. funds, so far as the District is concerned, the distinguished gentleman from Texas is the last one I had expected would do so.

Mr. BLANTON. I protect the President at all times, but I will not protect the bureau chiefs when they are wrong.

Mr. DITTER. You cannot blame the District if the administration is so careful as to inquire whether there are other things which they desire here. I venture the suggestion, if Texas came here and if efforts were made by the administration to hand out to Abilene or to Texas generally gifts and gratuities, certainly the distinguished gentleman

from Texas would accept all that he could get and still ask for more.

So that any criticism of that which might come to the District as a result of the incompetence or the failure of the administration to properly look into the administration of P.W.A. or C.W.A. funds should not be directed against the Commissioners of the District. It should not be a criticism of the Commissioners of the District. It is a criticism of the administration which has handled the P.W.A. and C.W.A. funds right here in Washington.

When you have a bill with 120 amendments and you have to meet across the counsel table, you have to give and take.

I only express a personal opinion when I express my regret that certain items proposed by the Senate were not included. I defer to the knowledge and wisdom and experience of the chairman of our own committee and have abided by his judgment. I do feel, however, that there are two items which should have been included; certainly they should have been given a greater degree of latitude in the matter of the appropriations: The one the Public Utilities Commission, and the other the Liquor Control Board.

I believe we should have the administration of the liquor business here in the District carefully guarded for law enforcement. This cannot be done if you rob the enforcement board of the necessary personnel.

Secondly, I still contend that until there is actual proof of either incompetence or collusion or carelessness on the part of the Utilities Commission that we should provide a larger appropriation so that its present personnel might be continued.

I do hope that in another year the House will give favorable consideration to these two agencies, at least in the matter of maintaining a sufficient personnel to permit them to carry out their functions.

Mr. Speaker, I yield back the balance of my time after yielding 5 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN of Missouri. Mr. Speaker, in considering legislation affecting the District of Columbia, I endeavor to approach it in the same way I would consider legislation affecting the city from which I come, and I think this is the attitude that the Membership of this House should take.

In reference to the bill giving the District the power to borrow from the P.W.A., let me say 2 weeks ago my city, by a vote of 5 to 1, appropriated \$15,000,000 in bonds for the purpose of carrying on public works and to enable the city to come to the P.W.A. and ask the P.W.A., under the law, to assume a 30-percent obligation for the work it desires to do. On the same day my State, by a vote of 2 to 1, voted \$10,000,000 in bonds for identically the same purpose.

The people of the District of Columbia pay taxes to the Government of the United States just the same as the people of Missouri and the people of Texas, and part of the money they pay to the Government of the United States, no doubt, is included in this P.W.A. money. The people of the District of Columbia must assume their part of the burden to take care of the public debt just the same as the people of Missouri and the people of Texas. Therefore, why should they not have the right to borrow money for needed public improvements?

I rose for the purpose of discussing the appropriation for the Public Utilities Commission.

I have talked to the Speaker, the Parliamentarian, and numerous Members who, I think, understand parliamentary law, trying to find some way whereby I can force a record vote in this House upon the paragraph that affects the Public Utilities Commission.

Men stand here on the floor and say they are defending the people of the country. Are you defending the people of Washington when you cut the appropriation of the Public Utilities Commission from \$87,000 to \$50,000? That is a people's commission. Its every act is supposed to be beneficial to the masses of the people.

I should like to find a way whereby I can move that the House recede and concur in the Senate amendment, which



carried the \$87,000 appropriation, but up to this moment I have not been able to find such a way. However, I do hope that someone at the other side of the Capitol, Senator NORRIS, for instance, who has been interested in these matters for years, will see to it that the Senate insists upon its amendment and in this way provide the \$87,000 to carry on the work of the Public Utilities Commission of the District of Columbia.

You get gas here, you get electricity here, and you get water here cheaper than anywhere in the country, with a few exceptions. Why? Because of the activities of the Public Utilities Commission. My colleague from my own State challenged this statement when this bill was pending before the House, but I ask every Member to read the Senate hearings, consisting of nearly 400 pages, and find out just what this commission has accomplished.

Let us see what the Senate committee learned with respect to the Public Utilities Commission:

Senator THOMAS of Oklahoma. If this item is retained at \$50,000, how many officials and employees would you have to dispense with?

Mr. ELGEN. We will have to dispense with 15 employees, Mr. Chairman. That then would still leave us on a 90-percent basis with about \$2,900 more than the House has appropriated which we would have to save some way or other.

Senator THOMAS of Oklahoma. Any questions?

Senator NYE. As to this reduction here and the discontinuance of 15 employees, how much would that delay the valuation work that you are undertaking?

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. COCHRAN of Missouri (reading):

Mr. ELGEN. It would very materially delay those valuations. To what extent, I do not know. But it would have a decided effect upon our entire plan, sir. You cannot regulate utilities without the tools to do so; and that has been one of the big difficulties, in my opinion, about regulation in this country—attempting to regulate, passing laws, does not do any good unless you have funds to proceed with. That was quite evident in the case of the old Federal Power Commission. You recall, for many years they had a very inadequate sum of money, and nothing was done. After you began to give them money and a force to go ahead, they began doing some rather remarkable things in the public interest.

Major Gotwals is as fine an Engineer Commissioner as the District of Columbia has ever had. He is going out of office July 1, when he is to be retired. Major Gotwals is a man about whom no one can say anything except praise for his services to the District of Columbia. This is his statement:

Major GOTWALS. But, the embarrassing thing about this matter is the fact that these companies, with the public's money, obtain the best lawyers, the best engineers, that money can get. They carefully buy something with the public's own money, something which will be worth while, as they see it, to beat us, and then we put up a hard fight many times, and this simply knocks our feet from under us. There is a much greater danger in the reduction. It is the danger of the public being thoroughly beaten.

Senator NYE. The public being wholly undefended?

Major GOTWALS. Unprotected, because we are playing with major leaguers, so to speak, and we are a little bit of a bush league, just to use a little slang, because the A. T. & T. bring the best attorneys, the best valuation engineers and lawyers that there are in the United States here, and then we meet them with only one lawyer, and, of course, we put up a pretty good fight, but, when we cannot have any men at all, our "bush league" might be beaten.

Take away the money for the Public Utilities Commission and, in my opinion, the result will be no reduction of rates for light and power, telephone, and so forth, for the people of the District of Columbia.

Mr. RICH. Will the gentleman yield?

Mr. COCHRAN of Missouri. Yes.

Mr. RICH. The statement was made by the gentleman from Texas [Mr. BLANTON] that the tax rate on property was \$1.50 per \$100, with assessed valuations reduced this year \$80,000,000—

Mr. COCHRAN of Missouri. I am not talking about the tax rates, I am talking about the Utilities Commission. I would not care if you raised the taxes if you did not reduce the appropriation for the Utilities Commission.

Mr. BLANTON. The Utilities Commission right now is given \$51,000 and, in addition, has the services of all 14

lawyers on the pay roll in the corporation counsel's office. Fourteen lawyers with \$51,000 ought to be able to accomplish something worth while.

Mr. COCHRAN of Missouri. Why did you give them \$87,000 a year ago? The gentleman from Texas was on the committee.

Mr. BLANTON. Because they had not done anything for the people during the last 4 years. They did far more when we gave them only \$46,000 than they have ever done since.

Mr. COCHRAN of Missouri. You got mad at an attorney who attended four or five conventions because he tipped the bellboy or the chambermaid, and the man who carried his grip—you took it out on the Commission.

Mr. BLANTON. No; that had nothing to do with it. When they had \$46,000 was the only time they did anything for the people. The telephone rates here are simply outrageous. I predict that our new Commissioner, Mr. Keech, will do more with this \$51,000 during the coming year than the former Commission has done during the last 4 years with \$87,000 per annum.

Mr. McFARLANE. Will the gentleman yield?

Mr. COCHRAN of Missouri. Yes.

Mr. McFARLANE. What did the Commission do with the \$87,000 they give them? What did they do in regard to reducing the rates on telephone, light, and power—the highest rates here on telephones that there are anywhere?

Mr. COCHRAN of Missouri. As far as the telephone is concerned the Interstate Commerce rules supersede the Utilities. That law should be changed and then your telephone bill would be reduced.

Mr. McFARLANE. The service charge of a telephone company here is too high—they charge \$3 for installation even though the phone is there and only requires connection. That is entirely too much.

Mr. COCHRAN of Missouri. I paid my bill this morning, \$4.75 for the month.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I had not expected to delay the House by further discussion of the conference report, but I must take just a minute to supplement the remarks of the gentleman from Missouri [Mr. COCHRAN]. The gentleman from Missouri is my personal friend and I have the highest regard for him, and I am certain he expects me to reply in kind.

This bill has been considered longer than any other appropriation bill in this session of Congress. The committee began hearings on the bill on March 7 and continued them from day to day until March 23. Members of Congress who were interested in the bill, or any item in the bill, were welcome at the sessions of the committee and were given time on all items on which they desired to be heard. But the gentleman from Missouri [Mr. COCHRAN] gave no intimation that he had the slightest interest in this item. He knew that it had been under fire in 1933 and he knew it would be taken up in these hearings, but he did not so much as call up to inquire about it.

When the bill passed the House he was on the floor and participated in the debate and was present when this figure was fixed by the House. He heard the conferees appointed and knew the item was in disagreement between the two Houses. Other Members interceded with the conferees on items in which they were interested, but the gentleman from Missouri [Mr. COCHRAN] did not mention the subject to any member of the committee of conference for either House. But now, after the item is in the conference report, and every Member of the House knows there is not the slightest opportunity to amend the conference report, my good friend the gentleman from Missouri rushes in and wages a single-handed battle to do what every Member knows positively cannot be done. The futility of his position on this proposal is apparent at a glance. Why, then, is he making this crusade against this saving of \$37,000 in the bill? If he really wanted to accomplish anything, why did he not appear before the committee at the hearings on the bill when the item was being considered? If he really wanted to increase the



amount and throw away \$37,000 additional of the taxpayers' money, why did he not take it up with the conferees before they went to conference?

The answer is obvious. The gentleman from Missouri is a candidate for the United States Senate. He is waging a campaign back in Missouri for nomination on the Democratic ticket. Publicity is a valuable asset in a campaign for the Senate and candidates are not adverse to having the papers mention their activities on the floor.

But, Mr. Speaker, such mention should be fair to other Members of the House. When this bill was last before the House the gentleman made much the same speech he has made here today, and the St. Louis Post-Dispatch published a version of it, in which it stated the gentleman from Missouri [Mr. COCHRAN], "in opposing the stand of his Missouri colleague, Chairman CLARENCE CANNON, of the subcommittee", charged the subcommittee had "crippled" the Commission, "which has saved the consumers millions of dollars", and had "placed the Commission at the mercy of the private corporations" and asserted "there can be no other conclusion." It further quoted the gentleman from Missouri [Mr. COCHRAN] as saying, "If this vote was being taken before a State legislature, the press would say we had sold out to the public utilities." In reading this newspaper account it is impossible to escape the conclusion that he is intimating that the subcommittee was serving the interests of predatory utilities and under conditions such as to give rise to the suspicion that the members of the committee had "sold out" to the utilities, while the gentleman from Missouri was championing the cause of the common people against them.

None of the proof submitted in the RECORD as to the fallacy of the gentleman's position was printed by the paper, and the effect was as if a case had gone to the jury without giving one of the parties litigant an opportunity to present testimony. I called the article to the attention of my friend from Missouri and pointed out its unfairness, and let it go at that for the reason that the debate as reported in the RECORD was ample reply.

But today the gentleman again implies that the committee's position favors the utilities, while he is opposing them. Again he champions the cause of the common people against a subcommittee "which under similar conditions" in a "State legislature" would be charged with having "sold out." I have never sold out, and I have never supported any utility, public or private. On the contrary, I have declared myself emphatically on the subject in every campaign in which I have participated. I wrote the bill to regulate the utilities which was endorsed by the Governor and passed by the Missouri House of Representatives in the last general assembly without changing a word in it. If the State senate had concurred, the rural towns of Missouri would have received millions of dollars from the Federal Government which other States, notably our neighbor, Illinois, received but which were denied Missouri for lack of this legislation. Did the gentleman from Missouri contribute anything to that fight in the "State legislature"? Not a word.

But here, when everybody knows there is no earthly possibility of changing even a punctuation mark in the conference report, he makes an impassioned speech which will be duly chronicled in tomorrow's Missouri papers.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. Now, let us take up the merits of the matter. The House proposed to appropriate \$50,000 for personal services under the Public Utilities Commission, and \$1,000 for its general expenses. The Senate proposed to increase the amounts to \$86,823 and \$1,500, respectively, a saving of \$37,323, which Mr. COCHRAN ostensibly opposes.

The suggestion that the subcommittee, in making this retrenchment, was actuated by petty personal spite is unworthy of consideration. The truth of the matter is that the Public Utilities Commission has rendered no notable service to the people in the past 4 years. During that time they have not secured a reduction of rates by any utility except by agreement—that is, they have secured nothing

except what the utilities wanted to give, and the utility lawyers were willing to agree to.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. When we appropriated only \$46,000 for this item the Commission functioned. It repeatedly secured reductions of utility rates in the District; and we here propose to give them \$50,000—\$4,000 more than they received at that time. But, since we have begun to increase the appropriation in excess of \$50,000, they have not secured a court order for the deduction of a penny in the rate of any public utility.

There has been no reduction in telephone rates since 1925, although every other utility has granted repeated reductions, and the members of the Commission testified before in the hearings that telephone rates were at least 10 percent too high. In a suit, now pending, when it appeared they were certain to secure a substantial reduction in telephone rates, the Commission voluntarily entered into a stipulation under which they gained nothing but signed away all hope of securing a reduction in any amount. In fact, the whole proceedings smacked strongly of collusion.

Now, the gentleman is a candidate for nomination on the Democratic ticket. But in his excursion here today he has, for the time at least, abandoned his party. This is a Democratic measure. It was reported by a Democratic committee and passed by a Democratic House. The Democratic steering committee approved it and every other Democrat here today is supporting it. The gentleman from Missouri is the one exception. He applied to the Republicans for time to debate, and, although a Democratic Member has control of the hour, he preferred not to accept time from the Democratic side and applied to the Republicans for time to assail the bill, and he is the only Democrat in the House who is attacking the report.

Now, I regret to see the gentleman out of harmony with his party. He would make a good Senator—

Mr. COCHRAN of Missouri. Thanks.

Mr. CANNON of Missouri. I am sorry to see him place himself in such a position. It leaves the impression that he is without influence here in the House. As a matter of fact, he is very influential. He is a man of high character and unusual ability and we as members of the Missouri delegation are proud to be associated with him. It is a matter of regret that he takes this one position on which none of his party can agree with him, and I am afraid it will lead the people back in Missouri to believe that he is not listened to here in the House and so injure the splendid race he is making for the Senate.

Mr. Speaker, we have given the Commission every dollar it is entitled to. The gentleman from Missouri [Mr. COCHRAN] quotes from the Senate hearings a general statement by the Commission that they would like to have more money to spend. But he cannot point to a case in the last 4 years in which the Commission has gone into the courts and forced the utilities to lower their rates. I challenge him now to cite any instance in which any rate of any utility has been reduced by order of the courts at the instance of this Commission. When they report activities justifying larger expenditures we shall be glad to provide larger appropriations.

Now, Mr. Speaker, permit me to turn to a more inspiring subject. In the minute that I have remaining may I refer briefly to two outstanding men who have cooperated with the subcommittee in the hearings on this bill. Out of the many able and conscientious men who appeared before our committee in behalf of the District government two are deserving of special mention.

One is Dr. William G. Fowler, in charge of the Public Health Department, a man eminent in his profession and of great executive ability. Under his administration the Department has made remarkable progress and is today one of the most noteworthy in the United States.

The other is Maj. John C. Gotwals, the Engineer Commissioner, one of the ablest men who has served in that distinguished position, and who in that capacity has rendered invaluable service to the District and the country.

I wish to take advantage of the opportunity to express to these two gentlemen our appreciation of their service and cooperation.

Mr. Speaker, I move the previous question on the adoption of the conference report.

Mr. COCHRAN of Missouri. Mr. Speaker, before yielding to the gentleman from Kansas, I rise to a question of high personal privilege.

Mr. CANNON of Missouri. Mr. Speaker, then I move the previous question.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. COCHRAN of Missouri. In the course of his remarks the gentleman from Missouri [Mr. CANNON] made a statement reflecting upon me that I desire to answer.

Mr. BLANTON. Mr. Speaker, I make the point of order that a Member cannot rise to a question of privilege at this juncture, when no motion was made to take down words objected to used in debate.

The SPEAKER. The words were not taken down.

Mr. BLANTON. And there was no motion made to take down the gentleman's words. That was necessary.

Mr. RICH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICH. In the course of debate, when trying to explain a bill, is it the proper thing for a Member to make a political speech when he ought to be explaining the bill?

The SPEAKER. That is not a parliamentary inquiry.

Mr. BLANTON. Mr. Speaker, the point of order I made is that the gentleman from Missouri [Mr. COCHRAN] cannot rise to a question of personal privilege at this time, because he made no motion to have the words taken down of the gentleman from Missouri [Mr. CANNON] at the time he used same in debate, which is required under the rules of the House.

The SPEAKER. The point of order is sustained.

Mr. McGUGIN. Mr. Speaker, I make a point of order that there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] Evidently there is not a quorum present.

#### CALL OF THE HOUSE

Mr. BYRNS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 156]

Abernethy	Crowther	Jenkins, Ohio	Rogers, N.H.
Allgood	Culkin	Johnson, W.Va.	Rogers, Okla.
Andrew, Mass.	Darden	Kinzer	Sears
Auf der Heide	Delaney	Kniffin	Shannon
Bacon	Dickstein	Kvale	Shoemaker
Balley	Douglass	Lambertson	Simpson
Beck	Doutrich	Lehlbach	Sisson
Berlin	Drewry	Lesinski	Smith, Va.
Biermann	Duncan, Mo.	Lewis, Md.	Smith, W.Va.
Black	Durgan, Ind.	Lloyd	Spence
Bloom	Eaton	Luce	Stalker
Boland	Edmonds	McGrath	Steagall
Bolton	Evans	McLeod	Stokes
Boylan	Paddis	McMillan	Strong, Pa.
Brennan	Fernandez	McSwain	Stubbs
Britten	Fitzpatrick	Maloney, La.	Sullivan
Brooks	Fletcher	Marland	Sutphin
Browning	Foss	Millard	Swick
Bulwinkle	Foulkes	Milligan	Taylor, S.C.
Burke, Calif.	Frear	Montet	Thom
Burke, Nebr.	Frey	Moran	Thomason
Burnham	Gambrill	Moynihan, Ill.	Thurston
Cannon, Wis.	Gasque	Muldowney	Treadway
Carley, N.Y.	Goldsborough	Murdock	Truax
Carpenter, Nebr.	Goss	Musselwhite	Vinson, Ga.
Carter, Wyo.	Green	Nesbit	Wadsworth
Cary	Griswold	Norton	Weaver
Cavicchia	Haines	O'Connell	Weideman
Celler	Hamilton	O'Malley	White
Chapman	Hancock, N.C.	Oliver, N.Y.	Wilcox
Chase	Harlan	Peavey	Williams
Church	Harter	Peterson	Withrow
Claborn	Hartley	Pettengill	Wolfenden
Clark, N.C.	Healey	Plumley	Woodruff
Cochran, Pa.	Higgins	Prall	Woodrum
Coffin	Hill, Ala.	Randolph	Zioncheck
Cole	Hollister	Reid, Ill.	
Cooper, Ohio	Hughes	Reilly	
Corning	James	Richards	
Crosby	Jeffers	Richardson	

The SPEAKER. Two hundred and seventy-four Members have answered to their names. A quorum is present. Mr. BYRNS. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The SPEAKER. The question is, Shall the previous question be ordered?

The previous question was ordered.

The SPEAKER. The question is on the adoption of the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment no. 39: On page 30, line 11, strike out "\$5,728,500" and insert in lieu thereof "\$5,763,960."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and agree to the same with an amendment as follows:

In lieu of the sum proposed insert the following: "\$5,763,960, of which not exceeding \$5,000 may be expended for compensation to be fixed by the board of education and traveling expenses of educational consultants employed in character education."

The SPEAKER. The question is on the motion of the gentleman from Missouri [Mr. CANNON].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 41. On page 33, after line 9, insert: "For aid in the education of children (between the ages of 16 and 21 years, inclusive, who have had their domicile in the District of Columbia for at least 5 years) of those who lost their lives during the World War as a result of service in the military or naval forces of the United States, including tuition, fees, maintenance, and the purchase of books and supplies, \$3,600: *Provided*, That not more than \$200 shall be available for any one child during the fiscal year 1935: *Provided further*, That this appropriation shall be expended for such children while attending educational institutions of a secondary or college grade under rules and regulations prescribed by the board of education."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The SPEAKER. The question is on the motion of the gentleman from Missouri.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 86. On page 59, in line 9, insert: "*Provided*, That in case a satisfactory price cannot be agreed upon for the purchase of said land, the Attorney General of the United States, upon the request of the Commissioners of the District of Columbia, is directed to acquire said land by condemnation, title to be taken directly to and in the name of the United States, and the expenses of condemnation shall be paid out of the appropriation herein made."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 92. On page 62, after line 12, insert:

#### "DISTRICT OF COLUMBIA TUBERCULOSIS SANATORIA"

"For the construction of additions to the Children's Unit, and the preparation of plans and specifications for the District of Columbia Tuberculosis Sanatoria at Glenn Dale, Md., including not to exceed \$100,000 for the employment of professional and other personal services without reference to the Classification Act of 1923, as amended, and section 3709 of the Revised Statutes of the United States, \$500,000."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 118. On page 78, after line 5, insert: "*Provided*, That the assessment rate herein prescribed shall be applicable to assessments for sewer and water mains constructed



and laid subsequent to January 1, 1923, in the subdivision of Barry Farm, as said subdivision appears on the records of the Surveyor of the District of Columbia."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

On motion by Mr. CANNON of Missouri, a motion to reconsider the votes by which the conference report and the several motions on the several amendments were agreed to was laid on the table.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GREENWOOD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute to make an announcement.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GREENWOOD. Mr. Speaker, the House has created a special committee for the investigation of the purchase of War Department property, and the members of this committee have been given permission to sit during the sessions of the House. For this reason they were not able to answer the roll call to establish a quorum. The members of this committee are Messrs. McSWAIN, FITZPATRICK, DUNCAN, CARTER of Wyoming, FADDIS, ROGERS of New Hampshire, JAMES, GOSS, PLUMLEY, and HILL of Alabama.

#### FOREIGN-TRADE ZONES

Mr. CULLEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 9322) to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes, with Senate amendments, disagree with the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. CULLEN, McCORMACK, VINSON of Kentucky, TREADWAY, and BACHARACH.

#### DIVERSIFICATION OF PRISON INDUSTRY

Mr. COX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 369.

The Clerk read as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H.R. 9404, a bill to authorize the formation of a body corporate to insure the more effective diversification of prison industries, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COX. Mr. Speaker, the resolution provides for 2 hours of general debate on the bill. I have consulted the minority members of the Committee on Rules and they agree that I may offer a motion to amend the resolution striking out the word "two" where it appears in line 8, of page 1, of the resolution, and insert in lieu thereof the word "one"; in other words, reducing the time of general debate to 1 hour.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield.

Mr. MARTIN of Massachusetts. Mr. Speaker, I concur in what the gentleman from Georgia has said with regard to his consultation with the minority members of the Rules Committee on the matter of amending the resolution to reduce the time of general debate from 2 hours to 1 hour.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield.

Mr. BLANTON. What provision is made in the rule for those who are against the bill, and what arrangement is proposed to take care of those who are against the rule?

Mr. COX. I may say to the gentleman that, of course, I shall yield one-half the time to the gentleman from Massachusetts.

Mr. BLANTON. Is the gentleman from Massachusetts against both the bill and the rule?

Mr. COX. I presume so.

Mr. MARTIN of Massachusetts. Mr. Speaker, I advised the gentleman from Texas [Mr. BLANTON] yesterday that I would yield him 5 minutes.

Mr. BLANTON. I am wondering if there might not be others who are against both the rule and the bill who would want time. Should there not be an equal division of time between those who are for and those who are against this proposition? That has always been the rule here in this House and in all parliamentary bodies.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield.

Mr. TABER. Mr. Speaker, I had hoped that I might have a few minutes on the bill.

Mr. COX. Mr. Speaker, so far as I am concerned I shall be liberal in yielding the time under my control.

Mr. BLANTON. Mr. Speaker, there should be an equal division of the time.

Mr. COX. I can make no such allotment.

Mr. BLANTON. It should be divided equally, and hereafter I am going to contend for all rules to provide for an equal division of time.

Mr. COX. I have no objection; I shall be fair.

Mr. RICH. Mr. Speaker, if the gentleman will yield, I should like some time.

Mr. BLANTON. Have we changed the rules of the House so that those who are opposed to the resolution and the bill are not to have half of the time in their own control?

Mr. COX. Mr. Speaker, the gentleman knows what the practice is on these questions.

Mr. BLANTON. The practice since I have been here has been for the time to be equally divided between those for and those against all propositions. That is the only fair, just way to conduct debates. This is a bad habit for the Rules Committee to get into, and a bad precedent for it to set. I hope that all future rules will provide for a fair, equal division of time between those for and those against the main proposition.

Mr. COX. Mr. Speaker, I move to amend the resolution.

The Clerk read as follows:

Amendment offered by Mr. Cox: Line 8, page 1, after the word "exceed", strike out the word "two" and insert the word "one."

Mr. COX. I move the previous question on the amendment.

Mr. RICH. Mr. Speaker, reserving the right to object, I think we who are opposed to the resolution and to the bill ought to have time in which to express our views.

The SPEAKER. The gentleman cannot object, because the gentleman from Florida has moved the previous question on the adoption of the amendment.

The amendment was agreed to.

Mr. COX. Mr. Speaker, I yield 30 minutes to the gentleman from Massachusetts [Mr. MARTIN] to be yielded as he sees fit.

Mr. Speaker, this resolution proposes to make in order the consideration of the Tarver bill referred to in the resolution as H.R. 9404, which is a bill to authorize the formation of a body corporate to insure the more effective diversification of prison industries.

The bill, Mr. Speaker, has the endorsement of the Attorney General, the Director of Prisons, the American Federation of Women's Clubs; and there is a very strong letter from Mr. Green, President of the American Federation of Labor, embodied in the report that accompanies the bill in which official endorsement is given to the bill.

I had not until this moment learned that there was any opposition coming from any source to the adoption of the measure.

The whole purpose of the bill is to make effective the act of May 27, 1930, which provided for the diversification of prison activities in order that work in prisons might not be concentrated in any one line, giving too great competition to private industry.

Mr. Speaker, I reserve the balance of my time.

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. MAPES].

Mr. MAPES. Mr. Speaker, this bill perhaps is innocent enough on its face, but it is one of those pieces of legislation which does not show on its face what is aimed at. It creates a prison industries board and clothes it with unlimited discretion in establishing industries in the prisons of our country except that the products must be used by the Government.

It transfers the power, among other things, now lodged in the Attorney General in that respect to this prison industries board.

I should like to call the attention of the Members of the House especially to the language in section 3 of the bill which says that the President shall transfer to said corporation the duty of determining in what manner and to what extent industrial operations shall be carried on in Federal penal and correctional institutions. In other words, this board is given unlimited power to determine in what manner and to what extent industrial operations shall be carried on in Federal penal and correctional institutions.

Mr. TARVER. Will the gentleman yield?

Mr. MAPES. In just a minute. In addition to that, the powers and duties now vested in the Attorney General or any other officer or employee of the United States as conferred by the act of May 27, 1930, are conferred upon this prison industries board. I now yield to the gentleman from Georgia.

Mr. TARVER. The gentleman is not of the opinion that the bill transfers to the Board any greater power than is now exercised by the Attorney General? The bill does not create any additional power. It simply provides for the transfer of existing powers from the Attorney General to this Board.

Mr. MAPES. May I ask the distinguished gentleman from Georgia if that is his interpretation of the act?

Mr. TARVER. Oh, unquestionably. I do not think there is any question about that.

Mr. MAPES. I am unable to hear the response of the gentleman from Georgia.

Mr. TARVER. Undoubtedly that is the correct interpretation of the bill.

Mr. MAPES. I may say to the gentleman that I have been a little doubtful about that and I am glad to hear the gentleman from Georgia make that statement and to get his interpretation of the bill in that respect. The reason for the doubt in my mind was due to the language in the first part of the sentence in section 3, to which I have called attention, and which says that the President shall transfer to said corporation the duty of determining in what manner and to what extent the industrial operations shall be carried on in Federal penal and correctional institutions. As the gentleman from Georgia knows, that is new language not in the act of May 27, 1930, and for this reason I was fearful it was intended to confer upon this Prison Industries Board greater power than is now conferred upon the Attorney General. I am glad to get the gentleman's statement.

Mr. TARVER. The very idea of transfer is that the authority must now be vested somewhere. Where? Under the terms of the act of May 27, 1930, unquestionably in the Attorney General. This is merely a power of transfer of existing power and not a proposal to create additional powers.

Mr. COX. And may I say it is a transfer to a board of which the Attorney General is a member. You will find in the report that the Attorney General endorses the bill.

Mr. MAPES. I call the attention of the members of the Committee on Appropriations to the fact that the bill also provides for an indefinite, continuing appropriation to be

used by this Prison Industries Board. I do not know how that will conflict with the legislation which we have recently passed, but it seems to me that is a matter to which the Committee on Appropriations should give some attention.

Mr. Speaker, the Members of the House will remember that we have had up this general subject matter in one form or another several times during this session of Congress. It is well known that the Superintendent of Prisons wants to start the manufacture of metal furniture in the Lewisburg (Pa.) Penitentiary, and we put upon the appropriation bill in this Congress a limitation prohibiting that being done. If it is proposed to go behind the action of the Congress—and I am afraid it is—and to do indirectly by the establishment of this Prison Industries Board what Congress has refused to do directly, namely, to start the manufacture of furniture at the penitentiary at Lewisburg, then those of us who supported that limitation upon the appropriation bill must necessarily oppose this legislation. I take this opportunity in the discussion of the rule to call the attention of the House to the possibilities of this legislation. I think it is the function of Congress to determine what industries should be established in our penal institutions.

Mr. Speaker, I yield back the balance of my time.

#### REGULATION OF SECURITIES EXCHANGES

Mr. RAYBURN submitted a conference report upon the bill (H.R. 9323) to provide for the regulation of securities exchanges and of over-the-counter markets operating in interstate and foreign commerce and through the mails, to prevent inequitable and unfair practices on such exchanges and markets, and for other purposes.

#### PRISON INDUSTRIES BOARD

Mr. COX. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Speaker, I listened to the remarks of the gentleman from Michigan, who I believe comes from Grand Rapids, a great furniture city. I come from a great shoe city, the city of Lynn. I think the gentleman from Grand Rapids ought to be willing to allow a certain amount of furniture to be manufactured in the prisons if I am willing that a certain amount of shoes may be made in the various penitentiaries.

The purpose of this bill is to arrange matters so that no particular industry will be driven out of business and that the manufacture of prison-made goods will not bring about serious competition with free labor. The American Federation of Labor is absolutely in favor of this bill. They do not want the furniture industry in Grand Rapids, Mich., or the shoe industry in Lynn, Mass., the textile industry in Lawrence, Mass., or southern cities to be penalized, or any other industry located in Kansas, California, or any other place to be discriminated against.

Mr. MAPES. Will the gentleman yield?

Mr. CONNERY. I yield to the gentleman from Michigan.

Mr. MAPES. Does not the gentleman think that ought to be determined by the Congress and not create a board to determine the matter?

Mr. CONNERY. I think a board is all right on this proposition. The entire situation has been carefully studied. Sanford Bates, who is greatly interested in the prisons, and who is head of the Federal prisons, has studied the situation from A to Z. This bill will stop competition with any one particular industry. We have realized from the hearings which we had before the Committee on Labor enough to forbid prison-made goods of the various States being sold in interstate commerce. When we had the hearings we had the wardens of almost every penitentiary in the United States there. They said, "You must give these men work. They cannot walk around at their leisure. They must work or many of them will go insane."

I should like to see nothing made in the penitentiaries at all to compete with free labor, but these men must work. They must have something to do. We have a situa-



tion facing us, and the only thing to do is to permit them to make a little of this and a little of that, so that we will not have competition with free labor.

Mr. RICH. Will the gentleman yield?

Mr. CONNERY. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman has just made a statement that he would rather have free labor do the work. Since Sanford Bates has charge of these prisons, why can we not permit him to have the continued direction of the prisons? He is an honest man. Why is it that this commission of five men is to be under the supervision of the President at a time like this, when the expenses of the Government are so heavy that the taxpayers cannot stand the burden? I agree with the gentleman that we should let free labor do this work now.

Mr. CONNERY. If Congress wanted to lay out certain rules and regulations for Mr. Bates and let him run the job, I would not have any objection to that; but I think a board with a labor, farmer, and consumer representative can do a much better job than Mr. Bates can do alone. Mr. Bates has plenty to do; and do not forget that you have an employer and an employee on this board, which leaves Mr. Bates out of it, and they cannot say that he has discriminated against Grand Rapids or Topeka or any other place, because on this board will be a representative of the employers and a representative of labor, and they will see that justice is done to all industries.

Mr. RICH. May I answer the gentleman by stating that if Congress functions along with the Superintendent of Prisons, then we will not have to create this board and increase our national debt by paying more salaries and creating more unnecessary jobs.

Mr. CONNERY. This board, as I have said, will have an employer and a labor man, a farmer and consumer representative, as well as a representative of the Attorney General; and they will see that justice is done to industry in all these cases.

Mr. DUNN. Mr. Speaker, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. DUNN. Did I understand the gentleman to say that the American Federation of Labor is for this bill?

Mr. CONNERY. Yes; Mr. Green, president of the American Federation of Labor, has sent a letter to every Member of Congress, saying that the federation is in favor of this measure.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. CONNERY. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Has the gentleman talked with the labor representatives of Massachusetts and do they think this is a fairer way of handling the work problem in the prisons and that it is fairer to the industries in Massachusetts, which are now most affected by competition with prison-made goods?

Mr. CONNERY. Yes; and I may say to the gentlewoman from Massachusetts that the shoe business has suffered more than any other industry by prison-labor competition; but we are willing for them to make a certain amount of shoes, if they do not put the whole burden on the shoe industry, but will let them make a little furniture, some shoes, some furniture, or anything at all so long as they keep it down so that it will not seriously compete with free labor.

Mr. RICH. Mr. Speaker, will the gentleman yield for a further question?

Mr. CONNERY. I yield.

Mr. RICH. Does not the gentleman believe that in times like the present, in doing work at Federal prisons, they should, as far as possible, eliminate mass production?

Mr. CONNERY. Yes; I do; and I may say to the gentleman that he will notice that there is a provision in the bill that will take care of prisoners and their dependents in case of injuries suffered in line of work. This should have been done long ago.

[Here the gavel fell.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FOCHT].

Mr. FOCHT. Mr. Speaker, the location of a certain Federal prison was referred to a moment ago and I believe that at this particular Federal prison located in my home town of Lewisburg, Pa., has been woven the fabric of this whole proposition.

It has been stated that there is no change of policy involved in this new proposal. If there is no change desired, why is the bill here? There is a change desired and it is desired for this reason. They have already constructed on this territory—I call it territory, because they have pre-empted there 1,500 acres of land, occupied by the buildings of this prison and also used for farming purposes—a factory in which they propose to make steel furniture for the equipment of the post offices and other public buildings throughout the country.

It seems to me that under the law as it now exists they cannot compete with the manufacturers of this material throughout the country and consequently they desire this legislation.

We have there an institution that is supposed to represent a wonderful advancement and a mighty step forward in the matter of confinement and personal reconstruction, physically and morally.

If you go there, you will find wonderful architecture, at the same time you will notice that there is in charge a wonderful gentleman, a genial man of manners and heart, who came there from Joliet—Major Hill—who won his rank in the World War and who is serving as warden. The institution is also under the supervision of the Director of Prisons of the United States, Mr. Bates, who has conceived the idea of having here something that he calls an "elite prison", where the prisoners are to be handled with kid gloves, so to speak. However, when you go there you will find in addition to the cells in which these men are ordinarily confined, a dungeon in the depths of the prison. You will also find something that is hardly believable. It is smoke-screened in some way so as to mislead you in regard to the protection the guards have to have. This is protection in the shape of large dogs, larger than a young calf, running around the corridors.

While we are on this subject, it seems to me if Mr. Bates is going to conquer these men by kind treatment instead of the abuse that prevails in some of the prisons of this country, he could do this through some mental ingenuity or personal magnetism he may have which would give him power over these men instead of using dogs as assistants. I hope they will soon dispense with these dogs; and I know Mr. Bates will do it, for I believe he is a man of high purpose and conscientious in his ideals.

With regard to the question of labor, within a mile of the location of this penitentiary is a furniture factory and, sad it is to contemplate, because these men are my neighbors and are all good, competent men, and skilled artisans who were employed in this furniture factory there up until this depression hit the country, for 4 years out of 400 men who were once employed in this institution, they do not have more than 100 men so employed now.

And it does seem to me that we should not expand the sale of goods from the penitentiary, manufactured by these men who have violated the laws of the country, and work for nothing, to compete with free and honest labor of America.

I think there ought to be some other way. I should say the better way would be to improve this wonderful civilization of ours, which in 2,000 years of known history has not done away with prisons. [Applause.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker and Members of the House, the bill H.R. 9404 is before us, and I should like to make this statement: I have in the past discussed the affairs of the Federal prisons with Sanford Bates. I think Sanford Bates, Superintendent of Prisons, is doing the best he can for the inmates of those institutions. If he would not do that, he would not be well qualified to administer the affairs of the prisons of this country. I congratulate him. The



great question is, Are we going to try our best to take care of the men incarcerated in the penal institutions because they have disobeyed some law of the land or are we going to try and take care of the men on the outside who are desirous of securing a position where they can earn their bread and butter for themselves and their families? That is the great question we have confronting us at the present time.

Now, let us grant that we want to regulate the prisons so that we do not have to carry on the manufacture in Atlanta of the duck industry in such a great proportion of the country's need of cotton duck. I sympathize with the men from Atlanta. I admit that the industry produced last year 5,921,000 pounds of duck, while on the outside there were produced 15,111,450 pounds of cotton-duck material—over one-third of the needs of the country produced by prison labor. Entirely too great a proportion made in the Federal prison, I admit.

And, gentlemen, I think that Congress has the right and power to tell Sanford Bates that we do not want the prison labor to do that great amount of work at this time at least. Let the men in the prisons suffer, if someone has to suffer, because they are there through the violation on their part of the laws of this country, and the punishment is theirs for disobedience to our laws.

If you—Congress—instruct the Attorney General, or Sanford Bates, that you do not want him to make so much cotton-duck material, he would carry out those instructions.

If you adopt this bill, you set up a board of 5 men who will get a hundred dollars a day for the 5, or \$20 individually, and you and I know that the cost of maintaining that board will be large—that it will have a secretary and officers, and it is going to cost the Federal Government five times as much as we expend for the commission.

I think that is the wrong thing for us to do when so many Federal employees are supported by the taxpayers of the country. I think that we Members of Congress should try our best to economize in the affairs of the Federal Government and stop setting up these commissions and increasing our Government costs on such a foolish bill as this, when the Attorney General now has the power under the law to do what this bill suggests. Set up this commission or board and you will never get rid of it in your day and mine. Once a commission, always a commission, and the expenses of Government continually go on unabated. I do not know for the life of me how we are going to make ends meet in the payment of these superfluous commissions. The taxpayers of the country today are burdened, your people in your district are burdened, and my people in my district are burdened. And yet we say, because somebody who advocates this bill, who says a certain commission must be set up, we must set up another commission. Let us think twice before we go on with a proposal of this kind. It is all wrong.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. RICH. Yes.

Mr. COX. Remembering the fine work which the gentleman did as a member of the Shannon committee in investigating the question of Government in business, and refreshing the gentleman's recollection by reminding him of the testimony of the shoemakers, of the duckmakers, and others, does not the gentleman feel that the bill here is in line with what the gentleman was seeking to do at that particular time.

Mr. RICH. Mr. Speaker, I am certainly in sympathy with the things advocated by the Shannon committee, but I feel that I want to protect the men upon the outside of prisons rather than those on the inside of prisons. I feel we should not do more for the men on the inside of prisons, who have been incarcerated because they have committed a crime and should be punished than for the men outside of prisons.

Mr. COX. Does not the gentleman interpret this bill to mean that it is an effort to protect those on the outside?

Mr. RICH. No; I do not think so. I think if Congress would give Sanford Bates instructions, he will carry out any orders of Congress in that respect that we ought to

give, and we will thus save the expense of this commission and accomplish the same results.

Mr. COX. Mr. Speaker, I yield 10 minutes to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Speaker, quite a lot of misunderstanding seems to exist with regard to this bill, its provisions, and what it is hoped to accomplish by it. May I say to my colleagues from Pennsylvania, who have been disturbed by the Lewisburg Penitentiary proposition, that there is not the remotest connection between this proposed legislation and the manufacture of metal furniture at Lewisburg in the Northeastern Penitentiary. This bill was introduced in its original form long before the controversy about Lewisburg arose. It was introduced by me in an effort to aid labor engaged in the textile industry, because of the operations of the Atlanta Penitentiary cotton mill, which, as the gentleman from Pennsylvania [Mr. RICH] has pointed out, manufactures a tremendous proportion of the wide duck consumed in this country. In fact, in 1 year it manufactured an amount of wide duck which equaled 38 percent of the total manufactured in free industry of that particular material. My bill as it was originally proposed sought to place a limitation on the amount of cotton which could be manufactured in the Atlanta Penitentiary. The Committee on the Judiciary went into the matter and held extensive hearings. They heard representatives of the manufacturers and after going into it decided that the legislation ought not to deal with only one penitentiary, but that it ought to be such as to take care of the situation generally throughout the country, and after quite a great deal of discussion that committee proposed a bill which in another form I subsequently introduced, but which is not the bill before you for consideration this afternoon.

There were some objections to that bill on the part of the American Federation of Labor. The bill was subsequently redrafted in order to meet those objections which seemed to the committee to be good, and in its present form it has the approval of the entire Committee on the Judiciary so far as I am advised. I know that no member of the committee voted against its being favorably reported to the House. It has the approval of the American Federation of Labor. It has the approval of the Department of Justice. It has the approval of the President of the United States, who, I am informed, has indicated his interest in it and desires it to be enacted, and it has the approval of the American Federation of Women's Clubs. In that connection perhaps I should read to you, if I may have the time in which to do it, an expression by the president of the American Federation of Women's Clubs. It is dated May 17, 1934, and is addressed to the President. I quote:

The general Federation of Women's Clubs has been deeply interested in the problem of prison labor for more than 25 years. Several years ago the general federation adopted a resolution in support of the Federal Board of Prison Industries. We are happy to say this principle is embodied in the bill authorizing the formation of a body corporate to insure the more effective diversification of prison industries, H.R. 9404. We know this bill has the approval of the American Federation of Labor, groups of manufacturers, as well as the Department of Justice. We know that a rule has been asked for in the House of Representatives, and that if this request is granted in time for Senate action, very probably the bill will pass this year. We are writing to assure you of our keen interest in this legislation and our hope for speedy passage.

Respectfully yours,

GRACE MORRISON POOLE,

President of the American Federation of Women's Clubs.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I prefer not to yield at this time unless there is something the gentleman considers of unusual importance, because I should like to proceed with some further discussion of the matter.

Mr. RICH. I am interested in trying to help the gentleman. I am wondering if the Congress should prohibit the manufacture of duck down to 10 percent or 15 percent at the most, whether that would not suffice for the cotton-duck industry. I believe we can get enough support in Congress to prohibit the manufacture of more than 10 percent of cotton duck at this time.



Mr. TARVER. That is what I undertook to do in my original bill, but the Committee on the Judiciary, in its wisdom, decided that the entire question ought to be dealt with instead of merely as it relates to one penitentiary. May I say this to my colleagues from Pennsylvania: They are undertaking to speak in the interest of laboring men, and yet the laboring men who are affected are the men who are engaged in the textile and shoe industries, those being practically the only two industries in which the labor of prisoners has been actively engaged. You have not any Federal manufacture going on in the Lewisburg prison, as far as I am advised.

Mr. FOCHT. Oh, yes.

Mr. TARVER. Will the gentleman state what it is?

Mr. FOCHT. The gentleman made a statement a while ago that it had no relation to this new penitentiary at Lewisburg. The gentleman, of course, having attended the hearings, I should think would have the same knowledge that I have. Does he not know they have already erected a building and they were about to proceed in the manufacture of metal furniture when they were interfered with by this law? Hence, the appeal is made to extend this law and create a commission so that they may go on.

Mr. TARVER. Oh, my friend did not understand me. I did not say that they had not attempted to manufacture furniture at Lewisburg. I said that they did not have anybody at this time in the Lewisburg Penitentiary engaged in manufacture.

Mr. FOCHT. Exactly; in full confirmation of what I said.

Mr. TARVER. I hope the gentleman will not take up my time.

Mr. FOCHT. Well, I think the House will agree with me that I know what I said, regardless of what the gentleman says. I know they have a building there and are ready to go as soon as this bill is passed. That is my statement to the House, and I do not want to take any more time.

Mr. TARVER. The gentleman simply misunderstood what I said. I simply said that you did not at this time have in the Federal penitentiary at Lewisburg prisoners engaged in any prison industry. I did not say that there has not been an attempt made to install a prison industry there.

Mr. FOCHT. I will have to correct the gentleman again. They are engaged constantly. I would not want to enumerate the things they manufacture because of the great variety, but there are 1,200 prisoners there, and most of them have daily tasks to perform in the manufacture of goods.

Mr. TARVER. What sort of goods?

Mr. FOCHT. I have stated that I could not enumerate them. I am not around the prison, but I know they are working.

Mr. TARVER. My information is that as late as 1932—

Mr. FOCHT. Oh, this new building was not even built then nor in operation.

The SPEAKER. The time of the gentleman from Georgia [Mr. TARVER] has expired.

Mr. COX. I yield the gentleman 2 additional minutes.

Mr. TARVER. Of course, it is not possible to conclude the discussion in the short time allowed, but I appreciate the difficulties that my colleague has in satisfying all those who want to talk, and I hope to be able to discuss the matter further upon the consideration of the bill. However, I simply want to say that there is very little manufacturing done in the Federal penitentiaries outside of the Leavenworth (Kans.) penitentiary and the penitentiary at Atlanta. There is some broom manufacture of a minor character. There is a little printing done and perhaps one or two other things in a minor way, but it may startle you to know that 70 percent of the value of all goods manufactured in Federal penitentiaries is manufactured in the Federal penitentiary at Atlanta, Ga.

The SPEAKER. The time of the gentleman from Georgia [Mr. TARVER] has again expired.

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 8 minutes to the gentleman from Kansas [Mr. McGugin].

Mr. McGUGIN. Mr. Speaker, there are two questions involved in this bill: First, Does this bill confer more authority upon some executive department? Second, Is it wise to transfer authority which is now vested in the Attorney General to another bureau or commission?

In the first place, it seems to me that section 3 transfers additional authority from Congress to some executive department. Please observe the first three lines of section 3:

The President shall transfer to said corporation the duty of determining in what manner and to what extent industrial operations shall be carried in Federal penal and correctional institutions and may transfer to said corporation any part or all of the other powers and duties now vested in the Attorney General.

It seems to me it is very unwise to be conferring any more authority. If that is a wise thing to do, then we must concede that we are incapable of meeting our responsibility as legislators.

Now, let us take this bill, aside from the controversial features, and take it as it is conceded to be, namely, that it is simply transferring this authority from the Attorney General to the new board. Now, why set up another board or commission? It will cost the people of this country \$20 a day extra, every day those five members of this board convene for the purpose of carrying out the duties that are now performed by the Attorney General.

Mr. BLANTON. Twenty dollars a day each?

Mr. McGUGIN. Twenty dollars a day for each member. If that is a wise thing to do, then it can only be upon the theory that bureaucracy is a better form of government than the form of government set up under the Constitution. If a board can handle these duties better than the Attorney General, then it can only be upon the theory that bureaucracy is a better form of government.

I want to say something to the Democratic Members of this House, because you are responsible for the legislation that is passed here. You have the votes. You are the ones who pass the legislation. It does not make much difference how we vote on the Republican side. We do not have the votes. We cannot stop bad legislation; but let me read what your last Democratic platform states on this subject:

We advocate an immediate and drastic reduction of governmental expenditures by abolishing useless commissions and offices, consolidating departments and bureaus, and eliminating extravagance to accomplish a saving of not less than 25 percent in the cost of Federal Government.

Now, you run directly in face of that solemn pledge and set up a new bureau and new commission here today.

It would appear as if it is an irresistible impulse, an obsession, for this administration and you Democratic Members to violate your platform pledges, particularly the one pertaining to the abolition of bureaus and commissions. You and your administration have set up so many new commissions that you no longer designate them by name but resort to mere alphabetic abbreviations. So today you come along and set up this new board instead of abolishing some existing commission, and it is indeed fitting that the gentleman from Texas [Mr. BLANTON] will stand here in a few moments and denounce this useless bill which we are considering today to set up another useless bureau.

Every time you set up a new bureau not only do you break your platform pledge to reduce the number of bureaus, but you break your platform pledge wherein you pledge yourselves to keep your platform pledges. I read to you what the Democratic platform says about that:

We believe a party platform is a covenant with the people to be faithfully kept by the party when entrusted with power, and that the people are entitled to know in plain words the terms of the contract to which they are asked to subscribe.

So I appeal to you today to keep your first pledge not to set up more useless bureaus; and, indeed, this is a useless bureau unless you are willing to take the position that your Attorney General is incompetent and incapable of carrying out the duties now entrusted to him. If you will not keep that pledge, then keep your platform pledge whereby you pledge yourselves to keep your platform pledges. I trust you will keep faith with one or the other of your pledges, either your pledge to abolish bureaus or your pledge to keep your platform pledges.



I realize when we have reached that stage when it seems to be the order of the day to repudiate most anything which is sacred. Keeping faith with a platform pledge is a sacred thing. Something else is sacred in this country of ours, and that is having reasonable respect and reverence for Memorial Day, yet yesterday this House was in session longer hours than usual, and we were told that the reason for it was the need for the consideration of important business. Let us see how important was the business considered.

Mr. TARVER. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore (Mr. DeROUEN). The gentleman will state it.

Mr. TARVER. Mr. Speaker, I make the point of order that the gentleman is not discussing the resolution.

Mr. McGUGIN. Oh, anything regarding Memorial Day would not appeal to the gentleman from Georgia.

Mr. TARVER. Mr. Speaker, the gentleman knows he is out of order. In my judgment he is purposely violating the rules of the House.

Mr. McGUGIN. Now, let us see how serious was the business considered yesterday that it had to be transacted yesterday instead of being put over until today.

Mr. TARVER. Mr. Speaker, may we have a ruling on the point of order?

Mr. McGUGIN. I inquire, What we are doing today? I answer, Wasting valuable time on this frivolous bill which breaks a pledge of the Democratic platform.

Mr. TARVER. Mr. Speaker, if the gentleman has any regard for the rules of the House he will suspend until the Chair rules on the point of order.

The SPEAKER pro tempore. The gentleman will confine his remarks to the resolution.

Mr. McGUGIN. Mr. Speaker, I want to say to the Members of the House that the business transacted yesterday, the silver bill, was considered because of the pressure of important business; yet today we find ourselves considering this frivolous bill, which breaks the pledge of the Democratic platform. [Applause.]

This bill transfers power from Congress to an executive agency. That is always a dangerous policy. The coal industry is now suffering because Congress transferred its authority to designate the things for which public money may be spent to the President, who in turn vested such power in the hands of Secretary Ickes, Public Works Administrator. Secretary Ickes has used such power to the injury of the coal industry.

The coal industry, one of the largest industries in the country, is one of the greatest employers of labor. In more ways than one, the so-called "recovery program" is being administered in a manner so as to destroy the coal industry rather than to help it.

At this time, there are thousands of men out of work in this great industry, yet, the Public Works Administrator, Mr. Ickes, is spending Public Works money in a manner so as to create more unemployment in the coal industry. He is using Public Works money to build hydroelectric plants to be owned and operated by the Federal Government. When these hydroelectric plants are completed, they drive out of existence steam plants, which are now making electricity and are large consumers of coal. This policy is wrong. It is an outrage upon the coal miners of this country. Secretary Ickes is carrying out this policy with Public Works money. He is brazenly repudiating the will of Congress and the people in two respects; first, he is taking money which Congress appropriated for the purpose of taking care of unemployment and is using this money to build projects which when completed will cause more unemployment; and second, he is developing projects which time without number Congress has voted down.

This increased unemployment will be in the coal fields which have been producing coal to supply steam-generating plants. This increased unemployment will also be in the railroad industry where men have been employed to haul coal from the coal mines to these steam-generating plants. Thus, public money is actually being used by Secretary Ickes for the purpose of throwing coal miners and railway trainmen out of work.

Congress appropriated this Public Works money for the purpose of helping the unemployed; not for the purpose of permitting Secretary Ickes to carry out his personal hobbies. When Congress appropriated this Public Works money to take care of the unemployed it gave to the President the power to spend this money in the manner which would furnish the most employment. The President designated Mr. Ickes as his personal representative to expend this money and to designate the projects. The President is directly responsible for the conduct of Mr. Ickes because he appointed him and is now permitting him to expend this money in a manner which is making more unemployment.

I am not only opposed to this program because it is wrong but I have a deep personal interest in the coal industry in Kansas. Two of the large counties in the congressional district which I have the honor to represent depend upon the coal industry. I refer to Crawford and Cherokee Counties. Thousands of men in these counties, who have formerly been employed in the coal mines, are having a hard time at best to obtain employment. The Kansas coal industry has suffered from vicious unfair competition of large gas pipe lines from Texas. The administration through its control of the N.R.A. has the power to stop this unfair competition from these monopolistic gas companies, which are bringing gas from Texas into the Kansas territory. The administration should exercise this power and protect Kansas coal from the vicious unfair competition of Texas gas; however, it has not done so, and it has refused to do so. This is true notwithstanding the fact that Kansas coal operators, Kansas coal miners, Kansas gas companies, and I have time without number appealed to the N.R.A. to stop the unfair competition of Texas gas that is being dumped into the Kansas territory which is the market for Kansas coal.

These two Kansas counties—Crawford and Cherokee—particularly their coal miners and operators, have suffered enough from competing fuels, oils and Texas gas, without now being hurt by hydroelectric projects financed by the Government of the United States. I insist that Crawford and Cherokee Counties have a right to operate their coal mines and sell all the coal which they can produce before the Government of the United States uses public money, a part of which has been collected from the taxpayers of these two counties, to build hydroelectric projects which will destroy a part of the coal market which these counties now have.

Frequently, when one takes the position which I am taking on this subject, he is wrongfully humiliated and criticized with the false and vicious charge that he is the tool of the Power Trust or Wall Street.

These charges are made by those with the ideas of Ickes because they cannot and will not answer our statements with any honest answer. They choose to try to besmirch us; however, there are some people who have long records as labor leaders and as enemies of concentrated wealth who take the same position on this matter as I do. In support of this statement, I am going to quote an article from the Labor World, which is one of the outstanding labor papers in the United States. This article in the Labor World quotes from a speech of John L. Lewis, president of the United Mine Workers. I am going to quote this article and then let Mr. Ickes and his kind see how far they get by answering Mr. Lewis and the Labor World with slander rather than facts. The article in the Labor World is as follows:

John L. Lewis, president of the United Mine Workers of America, attacked all hydroelectric projects, and particularly the Missouri River Valley Authority, proposed by Senator Norris, and the Loup River project, in the interior of Nebraska, which has already been approved by Secretary of the Interior Ickes.

Lewis said that not one of the hydroelectric projects will produce electricity cheaper than the same electricity can be produced by steam-generating plants from coal.

"The outstanding fact in connection with hydroelectric development is that the development of hydroelectric plants to generate power to displace coal is no longer considered upon a basis of cost," said Lewis. "The Tennessee Valley Authority was not authorized by Congress because electric power would displace coal upon any basis of cost. The Loup River project, in Nebraska, is not being promoted because the power thus generated will be cheaper for industry than power produced by coal.

"The Loup River project is being promoted by a group of about 150 individuals out in Nebraska who have hired a man to repre-



sent them in getting the Government money to finance the project, and from all reports, he is to get either 10 percent or 5 percent of the gross amount that the Government allocated to the Loup River project, and he is working hard at the task. His interest in developing the Loup River project is to get his commission, and the 150 people who are promoting the project in Nebraska are willing to pay him a commission if the Government will give them the money with which to pay his commission.

"Certainly such a policy is destructive of the interests of the coal industry. Certainly it will restrict the productive capacity of the industry. Certainly it will increase unemployment. Certainly it is not a sound policy, from our viewpoint, to destroy permanent jobs in America and substitute for them only an equal number of temporary jobs, and that is about what the hydroelectric-power propositions amount to in their final analysis.

"The Loup River project will create for a limited length of time just about the same number of jobs that it eliminates in the coal industry and the railroad and distribution industries. We protest the policy.

"The coal industry is a unit in thinking it an unsound, uneconomic policy during a period when our country is struggling with the overwhelming and almost overpowering question of trying to provide employment for our wage-earning population."

So spoke John L. Lewis, president of the United Mine Workers of America, as reported in the Labor World, one of the outstanding labor papers in the country. The remarks of Mr. Lewis present one of the principal reasons why I voted against and spoke against the Tennessee Valley Authority, the so-called "Muscle Shoals project", also why I am opposed to the Missouri Valley project.

So long as I am in Congress I am going to try to protect the just interests of the people in southeast Kansas who are engaged in the coal business and who depend upon the coal business for a livelihood. They have a right to a square deal from their Government. They are not getting a square deal so long as Secretary Ickes takes money which Congress appropriated for the purpose of taking care of the unemployed and uses that money to build hydroelectric projects which destroy the coal industry of southeast Kansas, thereby throwing coal miners and railroad labor of southeast Kansas out of work. If a Member of Congress from southeast Kansas is to serve faithfully the interests of the people of his district, he must stand up and oppose these hydroelectric projects of Mr. Ickes and the administration. He must do so even if someone, for political reasons, charges him with not supporting the President or the administration. The first duty of a Member of Congress is to serve the true interests of the people who elected him rather than be a rubber stamp of any President or administration.

[Here the gavel fell.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield the balance of my time, 5 minutes, to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Will not the gentleman from Georgia yield me 5 minutes also?

Mr. COX. I am sorry, but I have not the time at my disposal.

Mr. BLANTON. Mr. Speaker, I am against this rule for two reasons. The law says that when the Government sentences a man to the penitentiary it shall be to hard labor. What kind of labor are we going to have left for them? Congress has stopped them from spending Federal money to use convicts on highways down in Alabama. Congress said: "You must not make the poor felons break rocks on roads."

Now, convicts made a few of our mail sacks, just a few. They make a few of the shoes for the Army and the Navy. They make a pair of shoes and furnish same to the Army and Navy for \$2.70 which would cost the Government \$10 in any commercial shop. It gives the convicts something to do and enables them to send a little money to their dependents; it keeps them from mutiny.

The convicts make some of the paint brushes used to paint Government penitentiaries, not to compete with commercial brush factories in regular trade. The convicts make some of the duck material used for certain clothing for the Army and the Navy. They started to make some steel files for the Government offices, but you stopped them.

This bill creates a board the members of which draw \$20 a day each while engaged in the performance of their duties, and this will turn out to be for 365 days in a year. Their other expenses also are paid. I am against the crea-

tion of this new, unnecessary board. I am doing my part to carry out the pledge of the Democratic platform by trying to stop every new board I can and to abolish every one I can and to consolidate every one I can. Our Democratic platform pledges us to that program, and I cannot vote for this expensive new board.

But another question presents itself: The underlying principle of this bill is to do away altogether with convict-made goods and to eliminate all convict labor from penitentiaries. The gentleman from Georgia on the evening of day before yesterday said—and it appears in the RECORD—that the purpose of this bill was to reduce to the minimum convict-made goods, and that it was endorsed by the American Federation of Labor. Since the American Federation of Labor was for it, then all of us jack-in-the-boxes must vote for it, to be in accord with the American Federation of Labor. I am not a jack-in-the-box for the American Federation of Labor, the National Association of Manufacturers, or any other special class any more than I am for anybody else. I am for the American Federation of Labor and will fight for it when it is right; but I am against it when it is wrong. I do not take orders from it, and I do not take orders from the employers of labor.

This bill is stacked on its face. Why, 3 of the 5 members of the board, who by majority vote are to determine all issues, are to be picked 1 from industry, 1 from labor, and 1 from agriculture. These are the branches that are pinched and especially affected by convict labor. Industry is pinched somewhat because the prison-made products come in competition with the products of industry. It wants to stop all convicts from working. Labor is pinched somewhat because the convict labor comes in competition with outside labor. It wants to stop all convicts from working. Agriculture is pinched somewhat because all the farm produce grown on the prison farms comes in competition with the produce raised by the farmers in the United States. They want to stop all convicts from working. Yet representatives from these activities are to be board members, and will have a majority vote. Suppose the President should pick our good friend from Massachusetts, Mr. CONNERY, as the representative of labor as one member of the board; suppose he should pick our good friend from Georgia, Mr. TARVER, as the representative of agriculture as the second member of the board; and suppose he should pick our good friend from Pennsylvania, Mr. RICH, as the representative of industry as a third member of this board; do you not know that they would stop all convicts from doing any work that manufactured any article that competed with free labor, for they would have the controlling vote on said board, and they are not in favor of convicts working in penitentiaries.

[Here the gavel fell.]

Mr. BLANTON. Mr. Speaker, surely my time has not expired. The gentleman from Massachusetts yielded me 5 minutes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas was recognized for 4 minutes.

Mr. MARTIN of Massachusetts. Mr. Speaker, I think a recapitulation of the time will show that I had 5 minutes left.

Mr. BLANTON. That is just the way this rule is stacked, 4 minutes against the rule and all the balance of the hour's time for it. When the Rules Committee grants a rule, it ought to provide that the time shall be equally divided, half to those favoring the rule, and half to those opposing it. This unfair control of all time by those favoring a proposition must stop. I shall wage a fight to stop it.

Mr. COX. The statement of the gentleman, of course, is inaccurate.

Mr. BLANTON. Who has spoken against the rule except myself?

Mr. COX. The greater portion of the time consumed was used in opposition to the rule. This is a resolution that the Rules Committee has brought in with the recommendation that the House accept it and make in order the consideration of this Tarver bill, which deals with prison-made goods. The committee hopes the House will accept the rule and enter upon a consideration of the bill.

Mr. TARVER. Will the gentleman yield?

Mr. COX. I yield to the gentleman from Georgia.

Mr. TARVER. Is it not a fact that the rule provides for reading of the bill under the 5-minute rule, so that the House may adopt any amendment it deems proper?

Mr. COX. It is an open rule.

Mr. Speaker, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. Cox: Page 1, line 7, after the word "purposes", strike out the comma and insert the words "and all points of order against said bill are hereby waived."

Mr. BLANTON. Mr. Speaker, I make a point of order against the amendment because it is not germane to the resolution. It would have been in order for the Rules Committee itself to have brought in the resolution embracing the language of this amendment, but, offered from the floor it is not germane to the resolution.

The SPEAKER. The Chair thinks the amendment is germane.

Mr. COX. Mr. Speaker, this amendment is offered because of the language contained in the first sentence of section 4 of the bill, which may be construed to be an appropriation.

Mr. MAPES. Will the gentleman yield?

Mr. COX. I yield to the gentleman from Michigan.

Mr. MAPES. I was going to ask the gentleman a question, and I do not know but that he has answered it already. What is the purpose of the amendment that the gentleman has offered?

Mr. COX. This is to save the bill against a possible point of order on section 4, which possibly might be construed as an appropriation.

Mr. MAPES. Is it intended to make in order the provision which provides for a continuing appropriation?

Mr. COX. No. This is the language:

The Secretary of the Treasury is hereby authorized and directed, upon the information of the corporation to transfer to the credit of the corporation upon the books of the Treasury all balances then standing to the credit of the prisons' industries working-capital fund.

Mr. MAPES. The provision in the bill which apparently makes a continuing appropriation is in conflict with legislation which Congress recently passed?

Mr. COX. I think not. The purpose of the amendment is simply to take care of a point of order which may be raised to the section of the bill to which I directed attention.

Mr. MAPES. I would not have any objection to the amendment which the gentleman proposes, insofar as it applies to the particular language to which he refers, but I think there is some question in the minds of other Members of the House as to whether or not the continuing-appropriation provision does not conflict with a law recently passed by the House.

Mr. BLANTON. It would repeal that Griffin bill so far as it applies to this particular item.

Mr. COX. May I make the statement that I had no intention of affecting that section of the bill in offering the amendment, but to save it against a point of order which might be made because of the language quoted.

Mr. MAPES. Let me say that I am sure the gentleman from Georgia had no such intention, but I am wondering if the language of his amendment does not do just that.

Mr. TABER. Will the gentleman yield to me?

Mr. COX. I yield to the gentleman from New York.

Mr. TABER. Is not the effect of this amendment to make in order the transfer of the funds from the working capital fund now on the books of the Treasury, which is in effect an appropriation and in violation of the rules of the House, and also to make in order a repeal of the permanent appropriations bill which we passed a couple of weeks ago insofar as it requires annual appropriations for the operation of the Government?

Mr. COX. I do not have in mind the repeal of any provision of law, but simply to protect the bill against a point

of order which I anticipated the gentleman himself would make because of this language.

Mr. TABER. I certainly would make the point of order.

Mr. BLANTON. Will the gentleman yield?

Mr. COX. The rule is an open rule and any amendment to the bill is in order.

Mr. BLANTON. Will the gentleman yield for a suggestion?

Mr. COX. I yield to the gentleman from Texas.

Mr. BLANTON. The gentleman, of course, does not intend to do it, but if we pass this amendment to the rule we will repeal and undo what we did the other day when we passed the Griffin bill to stop these permanent appropriations, and to stop these back-door Treasury handouts, so far as same applies to this item. You will undo all that good work because you will make this a permanent appropriation.

Mr. COX. There is no intention on the part of the Rules Committee to do other than to keep within the rules of the House.

Mr. TARVER. May I point out that the proposal made in the bill is that this prisons industries board or corporation, as you may desire to call it, shall use this prison industries working capital fund, which has been used year after year from time immemorial, you might say, and shall pay into the Treasury any proceeds it might have above the necessary expenditures which may be authorized by the board.

Mr. BLANTON. But the funds it does not see fit to pay in will remain to its permanent credit, and become a permanent appropriation.

Mr. TARVER. It shall make annual reports to the Congress of its accounts. If this is not a wise provision, the House in its judgment will amend or eliminate it. It is not a question that the House ought to bar itself from considering by refusing to adopt the amendment offered by the gentleman from Georgia.

Mr. COX. Mr. Speaker, I trust the House will accept the amendment I have offered.

Mr. Speaker, I move the previous question on the amendment.

The previous question was ordered.

The SPEAKER. The question is on the amendment to the rule.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 35, noes 32.

Mr. TABER. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER. Evidently there is not a quorum present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 185, nays 98, not voting 147, as follows:

[Roll No. 157]

YEAS—185

Adams	Cochran, Mo.	Dunn	Harlan
Arens	Coffin	Durgan, Ind.	Hastings
Arnold	Colden	Eagle	Henney
Ayers, Mont.	Cole	Edmiston	Hildebrandt
Ayres, Kans.	Collins, Miss.	Elcher	Hill, Ala.
Belter	Colmer	Ellenbogen	Hill, Knute.
Bland	Condon	Ellzey, Miss.	Hill, Samuel B.
Bloom	Connery	Faddis	Howard
Brooks	Cooper, Tenn.	Farley	Huddleston
Brown, Ga.	Cox	Fiesinger	Hughes
Brown, Ky.	Cravens	Fitzgibbons	Imhoff
Brown, Mich.	Crosby	Fitzpatrick	Jacobsen
Brunner	Cross, Tex.	Fletcher	Johnson, Minn.
Buck	Crosser, Ohio	Fuller	Johnson, Okla.
Burch	Crowe	Gavagan	Johnson, W. Va.
Busby	Cullen	Gillespie	Jones
Byrns	Deen	Gillette	Kee
Caldwell	DeRouen	Glover	Keller
Cannon, Mo.	Dies	Goldsborough	Kennedy, Md.
Cannon, Wis.	Dingell	Granfield	Kenney
Carden, Ky.	Dobbins	Gray	Kerr
Carmichael	Dockweiler	Greenway	Kocialkowski
Carpenter, Kans.	Doughton	Greenwood	Kramer
Cartwright	Doxey	Gregory	Lambeth
Castellow	Driver	Griswold	Lanham
Chapman	Duncan, Mo.	Hancock, N.C.	Lanzetta



Larrabee  
Lea, Calif.  
Lee, Mo.  
Lewis, Colo.  
Lindsay  
Lozier  
Ludlow  
Lundeen  
McCarthy  
McClintic  
McCormack  
McDuffie  
McFarlane  
McKeown  
McReynolds  
McSwain  
Maloney, Conn.  
Mansfield  
Martin, Colo.  
Martin, Oreg.  
Meeks

Miller  
Moran  
Nesbit  
O'Connor  
Oliver, Ala.  
Owen  
Palmisano  
Parker  
Parks  
Parsons  
Patman  
Payser  
Polk  
Ramsay  
Ramspeck  
Rankin  
Rayburn  
Richards  
Robertson  
Romjue  
Rudd

Ruffin  
Sabath  
Sanders, La.  
Sanders, Tex.  
Sandlin  
Schulte  
Secrest  
Shallenberger  
Sirovich  
Smith, Va.  
Smith, Wash.  
Snyder  
Somers, N.Y.  
Spence  
Steagall  
Strong, Tex.  
Stubbs  
Summers, Tex.  
Swann  
Tarver  
Terry, Ark.

Thomason  
Turner  
Umstead  
Utterback  
Vinson, Ky.  
Wallgren  
Warren  
Wearin  
Werner  
West, Ohio.  
West, Tex.  
Whittington  
Willford  
Williams  
Wilson  
Wood, Ga.  
Wood, Mo.  
Young

Mr. Darden with Mr. Muldowney.  
Mr. Black with Mr. Doutrich.  
Mr. Drewry with Mr. Kvale.  
Mr. Prall with Mr. Shoemaker.  
Mr. Musselwhite with Mr. Frear.  
Mr. Hamilton with Mr. Chase.  
Mr. Sisson with Mr. McLeod.  
Mr. Lewis of Maryland with Mr. Burnham.  
Mr. Abernethy with Mr. Moynihan of Illinois.  
Mr. Allgood with Mr. Wadsworth.  
Mr. Sears with Mr. Strong of Pennsylvania.  
Mr. Weaver with Mr. Thurston.  
Mr. Monaghan of Montana with Mr. Foulkes.  
Mr. Griffin with Mr. Cary.  
Mr. Kennedy of New York with Mr. Duffy.  
Mr. Berlin with Mr. Frey.  
Mr. Holdale with Mr. Boland.  
Mr. Corning with Mr. Church.  
Mr. Fernandez with Mr. Burke of California.  
Mr. Bailey with Mr. Ford.  
Mr. Biermann with Mr. Carpenter of Nebraska.  
Mr. Cummings with Mr. Pettengill.  
Mr. Dear with Mr. Wilcox.  
Mr. Thompson of Illinois with Mr. Murdock.  
Mr. White with Mr. Thompson of Texas.  
Mr. Claiborne with Mr. Zioncheck.  
Mr. Auf der Heide with Mr. Chavez.  
Mr. Jeffers with Mr. Rogers of Oklahoma.  
Mr. Richardson with Mr. Scrugham.  
Mrs. Norton with Mr. Andrews of New York.  
Mr. Bulwinkle with Mr. Evans.  
Mr. Bankhead with Mr. Beedy.  
Mr. Kleberg with Mr. Cavicchia.  
Mr. Sutphin with Mr. James.  
Mr. Taylor of Colorado with Mr. Gifford.  
Mr. Underwood with Mr. Peavey.  
Mr. Montague with Mr. Foss.  
Mr. Mead with Mr. Treadway.  
Mr. Flannagan with Mr. Withrow.  
Mr. Douglass with Mr. Stalker.  
Mr. Weideman with Mr. Healey.  
Mr. Woodrum with Mr. Celler.  
Mr. McMillan with Mr. Studley.  
Mr. Disney with Mr. Burke of Nebraska.  
Mr. Reilly with Mr. Robinson.  
Mr. Smith of West Virginia with Mr. Montet.  
Mr. Green with Mr. Harter.  
Mr. Marland with Mr. Carley of New York.  
Mr. Fulmer with Mr. Shannon.  
Mr. Gasque with Mr. Maloney of Louisiana.  
Mr. Walter with Mr. Thom.  
Mrs. Jenckes of Indiana with Mr. Crump.  
Mr. Lloyd with Mr. O'Connell.  
Mr. Dickinson with Mr. Rogers of New Hampshire.

## NAYS—98

Adair  
Allen  
Bacharach  
Bakewell  
Beam  
Blanchard  
Blanton  
Boehne  
Boileau  
Bolton  
Buchanan  
Buckbee  
Cady  
Carter, Calif.  
Carter, Wyo.  
Christianson  
Clarke, N.Y.  
Cochran, Pa.  
Collins, Calif.  
Connolly  
Crowther  
Culkin  
Darrow  
De Priest  
Dirksen

Ditter  
Dondero  
Dowell  
Edmonds  
Elise, Calif.  
Englebright  
Fish  
Focht  
Gilchrist  
Goodwin  
Goss  
Guyer  
Haines  
Hancock, N.Y.  
Hart  
Hartley  
Hess  
Hollister  
Holmes  
Hope  
Johnson, Tex.  
Kahn  
Kelly, Ill.  
Kelly, Pa.  
Kinzer

Kloeb  
Knutson  
Kurtz  
Lambertson  
Lehr  
Lemke  
Luce  
McFadden  
McGugin  
McLean  
Mapes  
Marshall  
Martin, Mass.  
May  
Merritt  
Mitchell  
Morehead  
Mott  
O'Brien  
Perkins  
Pierce  
Plumley  
Powers  
Ransley  
Reece

Reed, N.Y.  
Rich  
Rogers, Mass.  
Schaefer  
Schuetz  
Seger  
Sinclair  
Snell  
Taber  
Taylor, Tenn.  
Terrell, Tex.  
Thomas  
Tinkham  
Tobey  
Traeger  
Turpin  
Waldron  
Welch  
Whitley  
Wigglesworth  
Wolcott  
Wolverton  
Woodruff

## NOT VOTING—147

Abernethy  
Allgood  
Andrew, Mass.  
Andrews, N.Y.  
Auf der Heide  
Bacon  
Bailey  
Bankhead  
Beck  
Beedy  
Berlin  
Biermann  
Black  
Boland  
Boylan  
Brennan  
Britten  
Browning  
Bulwinkle  
Burke, Calif.  
Burke, Nebr.  
Burnham  
Carley, N.Y.  
Carpenter, Nebr.  
Cary  
Cavichia  
Celler  
Chase  
Chavez  
Church  
Claiborne  
Clark, N.C.  
Cooper, Ohio  
Corning  
Crump  
Cummings  
Darden

Dear  
Delaney  
Dickinson  
Dickstein  
Disney  
Douglass  
Doutrich  
Drewry  
Duffey  
Eaton  
Evans  
Fernandez  
Flannagan  
Ford  
Foss  
Foulkes  
Frear  
Frey  
Fulmer  
Gambrell  
Gasque  
Gifford  
Green  
Griffin  
Hamilton  
Harter  
Healey  
Higgins  
Hoepfel  
Holdale  
James  
Jeffers  
Jenckes, Ind.  
Jenkins, Ohio  
Kennedy, N.Y.  
Kleberg  
Kniffin

Kopplemann  
Kvale  
Lamneck  
Lehlbach  
Lesinski  
Lewis, Md.  
Lloyd  
McGrath  
McLeod  
McMillan  
Maloney, La.  
Marland  
Mead  
Millard  
Milligan  
Monaghan, Mont.  
Montague  
Montet  
Moynihan, Ill.  
Muldowney  
Murdock  
Musselwhite  
Norton  
O'Connell  
O'Malley  
Oliver, N.Y.  
Peavey  
Peterson  
Pettengill  
Prall  
Randolph  
Reid, Ill.  
Relly  
Richardson  
Robinson  
Rogers, N.H.  
Rogers, Okla.

Sadowski  
Scrugham  
Sears  
Shannon  
Shoemaker  
Simpson  
Sisson  
Smith, W.Va.  
Stalker  
Stokes  
Strong, Pa.  
Studley  
Sullivan  
Sutphin  
Sweeney  
Swick  
Taylor, Colo.  
Taylor, S.C.  
Thom  
Thompson, Ill.  
Thompson, Tex.  
Thurston  
Treadway  
Truax  
Underwood  
Vinson, Ga.  
Wadsworth  
Walter  
Weaver  
Weideman  
White  
Wilcox  
Withrow  
Wolfenden  
Woodrum  
Zioncheck

Mr. HANCOCK of North Carolina, Mr. LUDLOW, Mr. DURGAN, Mr. LUNDEEN changed their votes from "no" to "aye."

Mr. BUCHANAN and Mr. MITCHELL changed their votes from "aye" to "no."

The result of the vote was announced as above recorded.

Mr. GOSS. Mr. Speaker, the gentleman from Michigan, Mr. JAMES, and the gentleman from New Hampshire, Mr. ROGERS, are unavoidably detained in a meeting of a subcommittee of the Committee on Military Affairs and asked me to make this announcement and have it stand for the rest of the day.

Mr. COX. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and there were on a division (demanded by Mr. TABER)—ayes 97, noes 47.

Mr. TABER. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 190, nays 80, not voting 160, as follows:

[Roll No. 158]

## YEAS—190

Adair	Byrns	Connery	Dowell
Adams	Caldwell	Cooper, Tenn.	Doxey
Arnold	Cannon, Mo.	Cox	Driver
Ayers, Mont.	Cannon, Wis.	Cravens	Duncan, Mo.
Ayres, Kans.	Carden, Ky.	Crosby	Dunn
Beam	Carmichael	Cross, Tex.	Durgan, Ind.
Beiter	Carpenter, Kans.	Crosser, Ohio	Eagle
Bland	Cartwright	Crowe	Edmiston
Blanton	Castellow	Crump	Eicher
Bloom	Chapman	Cullen	Ellenbogen
Boileau	Chavez	Deen	Elizay, Miss.
Brooks	Cochran, Mo.	DeRouen	Faddis
Brown, Ga.	Coffin	Dickinson	Farley
Brown, Ky.	Colden	Dies	Flesinger
Brown, Mich.	Cole	Dingell	Fitzgibbons
Brunner	Collins, Miss.	Dobbins	Fitzpatrick
Buck	Colmer	Dockweller	Flannagan
Burch	Condon	Doughton	Fletcher

So the amendment was agreed to.

The Clerk announced the following additional pairs:  
Until further notice:

Mr. Vinson of Georgia with Mr. Britten.  
Mr. Oliver of New York with Mr. Bacon.  
Mr. Sullivan with Mr. Simpson.  
Mr. Boylan with Mr. Lehlbach.  
Mr. McGrath with Mr. Andrew of Massachusetts.  
Mr. Truax with Mr. Jenkins of Ohio.  
Mr. Kniffin with Mr. Higgins.  
Mr. Randolph with Mr. Beck.  
Mr. Peterson with Mr. Cooper of Ohio.  
Mr. Clark of North Carolina with Mr. Swick.  
Mr. Brennan with Mr. Millard.  
Mr. Delaney with Mr. Stokes.  
Mr. Browning with Mr. Wolfenden.  
Mr. Taylor of South Carolina with Mr. Eaton.

Gavagan	Keller	Nesbitt
Gilchrist	Kennedy, Md.	O'Brien
Gillespie	Kennedy	O'Connor
Gillette	Kerr	Owen
Glover	Kocialkowski	Palmisano
Goldsborough	Kramer	Parker
Granfield	Lambeth	Parsons
Gray	Lanham	Patman
Greenway	Lanzetta	Polk
Greenwood	Larrabee	Ramsay
Gregory	Lee, Mo.	Ramspeck
Griswold	Lemke	Rankin
Haines	Lewis, Colo.	Rayburn
Hancock, N.C.	Lindsay	Reilly
Harlan	Lozier	Richards
Hastings	Ludlow	Robertson
Henney	Lundeen	Romjue
Hildebrandt	McCarthy	Rudd
Hill, Ala.	McClintic	Ruffin
Hill, Knute	McCormack	Sabath
Hill, Samuel B.	McFarlane	Sadowski
Howard	McReynolds	Sanders, La.
Huddleston	McSwain	Sanders, Tex.
Imhoff	Maloney, Conn.	Sandlin
Jacobsen	Martin, Colo.	Schaefer
Johnson, Minn.	Martin, Oreg.	Schuetz
Johnson, Tex.	Meeks	Schulte
Johnson, W. Va.	Mitchell	Secrest
Jones	Monaghan, Mont.	Shallenberger
Kee	Moran	Sinclair

## NAYS—80

Allen	Dondero	Kloeb	Reed, N.Y.
Bakewell	Edmonds	Knutson	Rich
Blanchard	Eltse, Calif.	Kurtz	Rogers, Mass.
Bolton	Englebright	Lehr	Seger
Buchanan	Evans	Luce	Snell
Buckbee	Fish	McFadden	Taber
Cady	Focht	McGugin	Terrell, Tex.
Carter, Calif.	Goodwin	McLean	Thomas
Carter, Wyo.	Goss	McLeod	Tinkham
Christianson	Guyer	Mapes	Tobey
Clarke, N.Y.	Hancock, N.Y.	Martin, Mass.	Traeger
Cochran, Pa.	Hartley	May	Treadway
Collins, Calif.	Hess	Morehead	Turner
Connolly	Hollister	Mott	Turpin
Crowther	Holmes	Perkins	Waldron
Culkin	Hope	Plumley	Whitley
Darrow	Kahn	Powers	Wigglesworth
De Priest	Kelly, Ill.	Ransley	Wolcott
Dirksen	Kinzer	Reece	Wolverton
Ditter			Woodruff

## NOT VOTING—160

Abernethy	Delaney	Lamneck	Rogers, N.H.
Allgood	Dickstein	Lea, Calif.	Rogers, Okla.
Andrew, Mass.	Disney	Lehlbach	Scruggam
Andrews, N.Y.	Douglass	Lesinski	Sears
Arens	Doutrich	Lewis, Md.	Shannon
Auf der Heide	Drewry	Lloyd	Shoemaker
Bacharach	Duffey	McDuffie	Simpson
Bacon	Eaton	McGrath	Sisson
Balley	Fernandez	McKeown	Smith, W. Va.
Bankhead	Ford	McMillan	Stalker
Beck	Foss	Maloney, La.	Stokes
Beedy	Foulkes	Mansfield	Strong, Pa.
Berlin	Frear	Marland	Stubbs
Biermann	Frey	Marshall	Studley
Black	Fuller	Mead	Sullivan
Boehne	Fulmer	Merritt	Sutphin
Boland	Gambrill	Millard	Sweeney
Boylan	Gasque	Miller	Swick
Brennan	Gifford	Milligan	Taylor, Colo.
Britten	Green	Montague	Taylor, S.O.
Browning	Griffin	Montet	Taylor, Tenn.
Bulwinkle	Hamilton	Moynihan, Ill.	Thom
Burke, Calif.	Hart	Muldowney	Thompson, Ill.
Burke, Nebr.	Harter	Murdock	Thompson, Tex.
Burnham	Healey	Musselwhite	Thurston
Busby	Higgins	Norton	Truax
Carley, N.Y.	Hoeppel	O'Connell	Underwood
Carpenter, Nebr.	Hoidale	O'Malley	Vinson, Ga.
Cary	Hughes	Oliver, Ala.	Wadsworth
Cavicchia	James	Oliver, N.Y.	Walter
Celler	Jeffers	Parks	Weaver
Chase	Jenckes, Ind.	Peavey	Weideman
Church	Jenkins, Ohio	Peterson	White
Claiborne	Johnson, Okla.	Pettengill	Wilcox
Clark, N.C.	Kennedy, N.Y.	Peyser	Wilson
Cooper, Ohio	Kleberg	Prall	Withrow
Corning	Kniffin	Randolph	Wolfenden
Cummings	Kopplemann	Reid, Ill.	Wood, Mo.
Darden	Kvale	Richardson	Woodrum
Dear	Lambertson	Robinson	Zloncheck

So the resolution was agreed to.

The following pairs were announced:  
Until further notice:

Mr. Mansfield with Mr. Bacharach.  
Mr. Milligan with Mr. Marshall.  
Mr. McDuffie with Mr. Taylor of Tennessee.  
Mr. Mead with Mr. Arens.  
Mr. McKeown with Mr. Lambertson.  
Mr. Fuller with Mr. Merritt.  
Mr. Oliver of Alabama with Mr. Reid of Illinois.

Sirovich  
Smith, Va.  
Smith, Wash.  
Snyder  
Somers, N.Y.  
Spence  
Steagall  
Strong, Tex.  
Sumners, Tex.  
Swank  
Tarver  
Terry, Ark.  
Thomason  
Umstead  
Utterback  
Vinson, Ky.  
Wallgren  
Warren  
Wearin  
Welch  
Werner  
West, Ohio  
West, Tex.  
Whittington  
Willford  
Williams  
Wood, Ga.  
Young

Mr. Parks with Mr. Withrow.  
Mr. Miller with Mr. Hoeppel.  
Mr. Wilson with Mr. Boehne.  
Mr. Johnson of Oklahoma with Mr. Lamneck.  
Mr. Wood of Missouri with Mr. Foulkes.  
Mr. Auf der Heide with Mr. Lea of California.  
Mr. Peyser with Mr. Sweeney.  
Mr. Dickstein with Mr. Rogers of New Hampshire.  
Mrs. Jenckes of Indiana with Mr. Robinson.  
Mr. Busby with Mr. Hughes.  
Mr. Bulwinkle with Mr. Sisson.  
Mr. Gambrill with Mr. Lesinski.  
Mr. Hart with Mr. Carley of New York.

Mr. BLANTON. Mr. Speaker, how am I recorded?

The SPEAKER. The gentleman is recorded as voting "no."

Mr. BLANTON. The committee is going to eliminate the salaries and expense, by amending the bill, and I change my vote from "no" to "aye."

Mr. BYRNS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection?

Mr. McGUGIN. I object.

Mr. McLEAN. Mr. Speaker, I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McLEAN. A few moments ago I went to the Clerk's desk for the purpose of signing the petition to discharge the committee in the further consideration of the so-called "McLeod banking bill." My pen was on the paper when the petition was snatched from beneath my hand, and I was informed that I could not sign, as 145 Members had already signed it.

The SPEAKER. The gentleman was correctly informed.

Mr. McLEAN. I understand that one of the signers was the late Representative Brumm, of Pennsylvania, who died a few days ago. There is a question as to the effectiveness of his signature, and the question of the effectiveness of his signature is proper for consideration at this time.

The SPEAKER. Under the rule no signature can be withdrawn except by the Member himself.

Mr. McLEAN. Does the Chair rule that the signature of Mr. Brumm must stand?

The SPEAKER. The signature can only be removed by the Member, by Mr. Brumm himself, as a Representative of the Thirteenth District of Pennsylvania. When his successor is elected, in all probability his successor would have that right.

Mr. McLEAN. Then, Mr. Speaker, I understand that without my signature the petition is effective?

The SPEAKER. The gentleman is correct, 145 names being now properly on it.

Mr. BYRNS. Mr. Speaker, I renew my request that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection?

Mr. SCHULTE. I object.

Mr. KNUTSON. That objection came from the gentleman's own side.

Mr. BYRNS. I want to say to my friend from Minnesota that there has been a plain filibuster on his side of the House. A filibuster has been conducted by the Republican Party both on yesterday and today, and has delayed the consideration of the District loan from the P.W.A. for the purpose of taking care of the sewage in the Potomac River.

Mr. SNELL. Let me say a word about this. We have a legitimate right to oppose the passage of some of these bills and we have done it in a legitimate way, and, so far as I know, there has been no real filibuster on this side. We have used legitimate means to oppose the passage of this bill.

Mr. BYRNS. I do not question the right of the Republicans to demand a roll call on any proposition that comes before the House, and if they get the required number of Members asking for a roll call, they are entitled to it, but I deny the right of any party to filibuster.

Mr. TARVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R.



9404) to authorize the formation of a body corporate to insure the more effective diversification of prison industries, and for other purposes.

The question was taken.

Mr. MCGUGIN. Mr. Speaker, I demand a division.

The SPEAKER. A division is demanded. Those in favor of the motion of the gentleman from Georgia will rise and remain standing until counted. [After counting.] One hundred and fifteen Members.

Mr. MCGUGIN. Mr. Speaker, I make a preferential motion that the House do now adjourn.

The SPEAKER. Those opposing the motion will rise and remain standing until counted. [After counting.] Thirty-three Members have risen. On this question the ayes are 115, and the noes 33.

Mr. MCGUGIN. Mr. Speaker, I challenge the vote for lack of a quorum.

Mr. KNUTSON. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The ayes have it, and the House resolves itself into the Committee of the Whole House for the consideration of the bill H.R. 9404, and the gentleman from North Carolina [Mr. KERR] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H.R. 9404, with Mr. KERR in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Without objection, the first reading of the bill will be dispensed with.

Mr. MCGUGIN. Mr. Chairman, I object.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That in order more effectively to carry out the policy and purposes of the act of May 27, 1930 (46 Stat. 391; U.S.C., title 18, sec. 711), entitled "An act to provide for the diversification of employment of Federal prisoners, for their training and schooling in trades and occupations, and for other purposes", the President is hereby authorized and empowered, in his discretion, to create a body corporate of the District of Columbia to be known as "Federal Prison Industries."

Sec. 2. The President shall appoint a board of directors of said corporation which shall consist of 5 persons, 1 of whom shall be a representative of industry, 1 a representative of labor, 1 a representative of agriculture, 1 a representative of consumers, and 1 a representative of the Attorney General. The board of directors shall serve at the will of the President, who may fix their compensation at not to exceed a sum of \$20 per day while such directors are actually engaged in the performance of their duties.

Sec. 3. The President shall transfer to said corporation the duty of determining in what manner and to what extent industrial operations shall be carried on in Federal penal and correctional institutions, and may transfer to said corporation any part of all of the other powers and duties now vested in the Attorney General or any other officer or employee of the United States by said act of May 27, 1930. It shall be the duty of the board of directors to diversify so far as practicable prison industrial operations and so operate the prison shops that no single private industry shall be forced to bear an undue burden of competition from the products of the prison workshops.

Sec. 4. The Secretary of the Treasury is hereby authorized and directed, upon the formation of the corporation, to transfer to the credit of the corporation upon the books of the Treasury all balances then standing to the credit of the prison industries working capital fund. All valid claims and obligations payable out of said fund shall be assumed by the corporation. The corporation is hereby authorized to employ the aforesaid fund, and any earnings that may hereafter accrue to the corporation, as operating capital and for the purposes enumerated in the said act of May 27, 1930, and also for the payment of compensation in such amounts as the Attorney General may authorize to inmates of penal institutions or their dependents for injuries suffered in any industry: *Provided*, That in no event shall compensation be paid in a greater amount than that provided in the Federal Employees' Compensation Act of September 7, 1916, as amended. The corporation shall from time to time deposit with the Treasurer of the United States to the credit of miscellaneous receipts so much of its earnings as shall, in the judgment of its board of directors, exceed the amount needed for a reasonable operating capital and surplus. All accounts of the corporation shall be subject to audit by the Comptroller General of the United States.

Sec. 5. The board of directors shall make an annual report to Congress on the conduct of the business of the corporation and on the condition of its funds.

Sec. 6. This act is supplemental to the act of Congress approved May 27, 1930, and in the event of the failure of the corporation

to act as herein authorized the Attorney General shall not be limited in carrying out the duties conferred upon him by the act approved May 27, 1930.

Mr. SUMNERS of Texas. Mr. Chairman, I am going to submit a unanimous-consent request in a few moments. If I could find out how long our friends are going to filibuster—and I do not blame you for filibustering at all—I should like to come to some sort of an agreement about it. If we could find out what time you aim to end the filibuster we could then come back and vote on the bill.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. SNELL. When the Speaker of the House makes a ruling such as he did a few moments ago you may expect anything, and I shall contest this clear along down the line. The Speaker himself announced that there were 148 Members present and a point of order was raised, and the point of no quorum was made. Yet, the Speaker decided that we should go into the Committee of the Whole. That was absolutely against the rules of this House. [Cries of "Regular order!"]

Mr. BYRNS. Mr. Chairman, I make the point of order that debate under the rule must be confined to the bill.

Mr. RICH. Mr. Chairman, will the gentleman from Texas yield for a question?

Mr. SUMNERS of Texas. For a question.

Mr. RICH. I think the question is, Does the gentleman think that we should set up another commission, when the section of the law states that the Attorney General has the power to do what they are trying to do now by setting up this commission, to make more jobs to compel the taxpayers of this country to do something that they are unable to do at the present time?

Mr. SUMNERS of Texas. I am sure I cannot yield any more. Let me make this statement.

Mr. RICH. That is a thing that is on our minds.

Mr. SUMNERS of Texas. Of course, you will have to reflect your views in your votes naturally. Mr. Chairman, I can quite appreciate the reaction of my friends on the Republican side. It is getting toward the shank of the session and everybody is more or less in a bad humor. It is the kind of time when everybody gets mad and fusses at another and then wishes that he had not done it the next morning, and feels as if he were getting foolish in dealing with Government matters. It is not local as to the sides of the House; it is due to the atmosphere. We get tired and fuss and do things, but after all we have a job now of passing on a piece of legislation that is pretty important. I do not blame the gentleman from New York [Mr. SNELL] and his crowd one bit, but I did wish that we might have some sort of an understanding about how long the filibuster would last, so that our folks who do not care much about filibusters could go out and get some supper and maybe get a nap and then come back here about 2 or 3 o'clock in the morning and vote on the bill. Of course, if we cannot do that, we cannot do it, so let us see about this bill.

This is a very difficult thing to deal with—this matter of prison labor. The members of the Committee on the Judiciary will recall that this has been one of the most troublesome things that we had to deal with. There are two or three propositions that we have to recognize. I think everybody recognizes that these prisoners have to have some sort of employment. That is proposition no. 1. I do not suppose that anybody has ever been able to figure out any sort of plan to rehabilitate the prisoners and have any chance of turning them back to society fit to be a part of society again where they are kept in prison in utter idleness. That is proposition no. 1. Proposition no. 2 is that we do not want these prisoners to interfere any more than possible with free labor. The third proposition is that it is impossible to prevent them entirely interfering with free labor, because everything they do somebody else on the outside can do.

Those are the three propositions. What are you going to do about it? This is the way we have tried to handle it.



We have tried to have the Attorney General make these determinations. What have we done? We have gone into the district of my friend from Pennsylvania, for instance, and we have erected a furniture factory. We have spent \$100,000 or \$200,000. Then Congress came along and, by a bill enacted at this session, prevents its use. That is the way we have been handling the thing—spending the people's money building factories, coming down here and organizing opposition, and closing up the factories and preventing their use.

Mr. RICH. Will the gentleman yield?

Mr. SUMNERS of Texas. Not just now. In a moment I will yield.

Now, in trying to work out a plan we had as well understand we are not going to evolve any plan that is free from objection. Do not get the notion that we are going to work out a plan of handling prison labor that is free of serious difficulty. It is like the situation where you have to go down one of two or three roads. You cannot refuse because there are some ruts or there are some culverts out of a given road. You have to go down one of those roads, each of which has some culverts or some ruts in it. It is a matter of selecting the one that seems to have the least difficulty. That is all there is to it. In trying to work the thing out, we considered all these objections in the Committee on the Judiciary. We do not have any partisanship in that committee. We have differences in views, but when that committee comes to deal with a question of public interest we sit around the committee table as legislators, as members of the committee, and not as Democrats and Republicans.

The best thing we have been able to do, the best plan we have been able to work out, is a plan worked out by Republicans and Democrats alike, is that embodied in this bill. That is the best we have been able to do. The gentlemen who are opposed to this bill can easily point out objections to it, but they probably are not able to suggest a better method. If they are, they are wiser than the Attorney General's Office; they are wiser than Mr. Green and his crowd; they are wiser than anybody else who has come before us; they are certainly wiser than the Committee on the Judiciary.

I hope that this feeling, temporarily stirred up, will not interfere with the judgment of the Members of Congress in dealing with a very important question, namely, What are we to do with, and how are we to handle these thousands of people who are in the penitentiary and who some day must come back into organized society as a part of the citizenship of the country?

Mr. RICH. Will the gentleman yield right there?

Mr. SUMNERS of Texas. I yield for a question, because I think that is all I want to say. I think I have put the proposition up to the House. Will the gentleman please be brief with his question?

Mr. RICH. If the Attorney General has the power today to do what this commission is intended to do, then why have a commission? Will the gentleman kindly answer that question?

Mr. SUMNERS of Texas. Yes. I undertook to answer it a moment ago. I pointed out one concrete case in my friend's district where the Government has spent \$150,000, perhaps, and the Congress came along and interfered with the arrangement. You have a divided responsibility. You have the power of the Attorney General to establish these various activities and locate the service, and then the Congress comes along and interferes with the arrangements. We figured we would have a better chance of having a workable plan agreed to by all these people representing all the interests most directly concerned sitting in on the first determinations than we have here under the arrangement we have now.

I think that is all I can say about it.

Mr. CANNON of Wisconsin. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. CANNON of Wisconsin. Is the American Federation of Labor and Mr. Green back of this?

Mr. SUMNERS of Texas. Yes. The Committee on the Judiciary has had before it, as nearly as it could get, all diversities of opinion and differences of judgment, and they have ironed out the best plan they could. It is not free from difficulties, but it is the freest from difficulty of any plan the committee could devise.

When this vote is taken I hope to see no partisan division with reference to this question of public policy, which does not enter at all into party politics. [Applause.]

Mr. KURTZ. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, I realize just as well as anybody that this is not a very appropriate time, perhaps, to consider legislation of this importance. I realize, too, that as a result of perhaps fatigue, as much as anything else, the temper of the House is not what it should be to consider legislation of this importance. I wish I might feel, speaking to you as man to man representing your districts, that you would give the same consideration to this legislation that you would if conditions here tonight were just a little different.

Now, I am deeply concerned in this bill. I know that many of you are. You came here representing constituents who sent you here to vote for their interests. You men recognize that this administration is exerting every possible effort, through legislation, through the machinery of government, to stop a wave of crime that is sweeping over the country. If this drive is successful, many desperadoes, crooks of all kinds and character, are going into Federal penitentiaries. I am in sympathy with the poor fellow who perhaps, because of his early environment, has been incarcerated in prison. For many years I served as trustee to the George Junior Republic, a school for boys, not strictly a penal institution, but an institution that has been most successful in directing the energies of boys into useful channels.

I spent some time in connection with this institution when I could give attention to it. I know something about the problems you are seeking to solve; I know the type of people with whom you have to deal; but the thing I want to impress upon your mind is that we do owe some responsibility to the law-abiding citizen who works for his daily bread. I know that in my district articles are manufactured which will have to compete with the products proposed to be made in Federal prisons equipped as they are with high-speed machinery, at a time too, when my constituents and your constituents, self-respecting persons who are now walking the streets seeking work. What do you propose to do?

There is a prison in western Pennsylvania that proposes to make metal furniture to compete with the product of law-abiding labor. In one of my towns the manufacture of metal furniture is the only labor market for a large number of men. It supports their families and sends their children to school. They are law-abiding people. The only reason on earth that machinery, recently installed in the Federal prison at Lewisburg, Pa., is now standing idle is because this Congress intervened to protect free labor.

The machinery was installed because a Bureau to which you intrusted power, notwithstanding it knew the sentiment of Congress, deliberately spent the taxpayers' money, rode rough-shod over what it knew to be the sentiment of the representatives of the people and invested the taxpayers' money in high-speed machinery. When you install high-speed machinery you multiply man power. These prisoners, men who have violated the law, are kept under ideal conditions. They are given work to do; they are fed and clothed and entertained. When you install high-speed machinery you multiply many times the man power of these 2,000 men; and the output of their machines comes into competition with the products of free, law-abiding labor. You put free labor in competition not with 2,000 men but with the machine power of 10,000 men.

In handling this question let us lay all partisan lines aside. I doubt if this is strictly an administration measure. I know that the men who brought it in here are sincere. Let us consider this question in its broader aspects, in its relationship to free labor.



I ask: Is it fair to turn over anything as responsible as this subject to a commission knowing that its membership has an interest which is quite contrary to the sentiment of the people of your districts?

[Here the gavel fell.]

Mr. KURTZ. Mr. Chairman, I yield 3 additional minutes to the gentleman from New York.

Mr. REED of New York. Every one of you gentlemen knows that if you were to go back to your districts and call together the laboring men in your districts, and you were to tell them what has been done, what it is now proposed to do, and the proposals that have been constantly coming before Congress, 99 percent of the laboring men would be against the proposition, notwithstanding what the representatives of the American Federation of Labor may have said. Your laboring men do not want to be thrown into competition with prison labor, and it is not fair to throw them into competition with it. We have voted on this question time and again, and I hope the Members tonight will vote their convictions.

It is proposed by this bill to create a commission, yet the commission is to be dominated by a type of social reformer who is going to equip Federal prisons with high-speed machinery, and it will not be long before they will want to buy thousands of acres of land to go into general farming and into every conceivable kind of industrial activity.

The time to stop this bureaucratic type of government and control is right now; and the place to stop it is right here; and if the Members who voted against this plan heretofore will stand their ground now and vote this proposition down, it will be greatly to the benefit of free labor. Let us give more study to this question, and let us work it out in the interest of labor. At this time let us give the benefit of the doubt to the law-abiding citizen, who today is looking for work, honest work, and not put these free people into competition with the convicts in the prisons, men who have violated the laws, men who have already subjected the taxpayers of the country to great expense in the maintenance of large police forces and drives against crime. Let us give the benefit of the doubt to the honest, upright man who wants to work and sell the product of his labor, free from the competition of convict-made goods. [Applause.]

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I am glad to yield to my friend. I know how sincere he is, I know he is practical, I know his heart is in whatever he does or proposes.

Mr. SUMNERS of Texas. I thank the gentleman. We had hoped—and I know how sincere the gentleman from New York is—that this plan might work out better than have the things of which the gentleman from New York complains; but does not the gentleman have some hope that we might, under this plan, with labor represented on this board, work out something which would be better than the plan we have had?

Mr. REED of New York. I say to the gentleman simply this, that if I did not feel as sincerely about my point of view as does the gentleman on his attitude, I would not stand here and oppose this bill.

Mr. SUMNERS of Texas. I should assume that, too.

Mr. REED of New York. I just do not agree with the gentleman.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I yield the remainder of my time, if I may be permitted to under the rule, to the gentleman from Georgia [Mr. TARVER], to be disposed of as he sees fit.

Mr. TARVER. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman, I hope the Members will give me their attention, for I trust I may not say anything which is not adjusted to the issue under discussion. Having studied it very carefully for a number of years, I hope that I may be able to give you some information concerning it.

In the first place, permit me to say that no lawyer, if he is a competent lawyer, can examine this bill and say that it proposes to add anything to the powers which now exist

in the Attorney General. The bill clearly merely proposes to transfer those powers to the body corporate the creation of which is provided for in the bill.

I was interested to hear my friend the gentleman from New York [Mr. REED] criticize the authority which now has control of this subject matter—the Attorney General's Office or the Bureau of Prisons, coming under the authority of the Attorney General—for the efforts which have been made in the northeastern penitentiary at Lewisburg to begin the manufacture there of metal furniture.

Yet, strange to say, the gentleman used that argument as a basis for concluding that these powers ought not to be taken away from the authority which he says has misused it in the instance to which he referred. We are trying by this bill to take away the authority from the Office of the Attorney General or the Bureau of Prisons under his direction, which the gentleman from New York [Mr. REED] insists has been abused in the Lewisburg transaction. We are trying to place this authority in a board on which industry will have a representative, labor will have a representative, agriculture will have a representative, vocational education a representative, and the general public interests a representative. We are trying to do this with the approval of the manufacturing interests in the country that are concerned, and who have frequently manifested their approval of this proposition. We are trying to do this with the approval of labor, and we are trying to do it, I feel justified in saying, with the approval of agriculture. It seems to me, in view of the gentleman's feeling as to the conduct of this work under the Office of the Attorney General, that he ought to use the facts that he advances here as a basis for insisting that the bill become a law.

Quite a lot has been said in opposition to the bill to the effect that the Congress should not create any new commission which would necessitate additional expenditures of public money. Permit me to say that when the bill was originally offered it did not provide, as I drew it, for payment of any compensation to the members of this board. I felt then that there were plenty of people in the country competent to serve who would be glad to serve in that capacity as a matter of public and patriotic duty without compensation. I so provided in the measure as originally introduced. It was upon the suggestion of the Department of Justice that the bill was changed in order to provide for payment of compensation to be fixed by the President, not to exceed \$20 per day.

I have communicated with the officials of the Department of Justice about this matter today and they are willing, and certainly I am willing in view of the form of the bill as originally introduced, that an amendment may be offered to provide that the membership of this board shall serve without compensation. This amendment, as I understand it, is to be offered by the gentleman from Pennsylvania. So far as I am concerned, it is an acceptable amendment, and I trust it may be agreed to by the committee. In view of the fact that this substantially meets the major objection raised, it does not occur to me that I would be justified in talking to the members of the committee at length, considering the lateness of the hour, with regard to this proposed legislation.

Mr. Chairman, I ask unanimous consent to insert in the Record in connection with my remarks a statement showing the extent of prison industry as carried on at present in this country.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The statement is as follows:

#### IS THIS DIVERSIFICATION?

Of Federal prisoners engaged in manufacturing, 56 percent are making cotton textiles.

Seventy percent of value of all manufactures of Federal prisoners is cotton textiles.

Eighty-seven and seven-tenths percent of all cotton goods made at Atlanta Penitentiary is numbered duck.

The numbered duck made in Atlanta in last 4 years equals 23.4 percent of numbered duck made by free mills.

### Facts regarding the production of cotton fabrics at the Atlanta Penitentiary

#### COMPARISON OF AVERAGE NUMBER OF PRISONERS EMPLOYED IN MANUFACTURING IN THE 5 LARGEST PRISON INDUSTRIES

[NOTE.—The Atlanta Penitentiary mill has 516 looms, of which 440 are duck looms, making it the largest duck unit in the country.]

Year	Atlanta cotton mill	Leavenworth shoe factory	Leavenworth brush factory	Leavenworth broom factory	Print shop	Total
1929.....	826	410		46	36	1,318
1930.....	813	505	119	51	41	1,529
1931.....	753	401	105	46	50	1,355
1932.....	851	477	127	52	53	1,560
Total.....	3,243	1,793	351	195	180	5,762

#### COMPARISON OF VALUE OF PRODUCTS MANUFACTURED IN FEDERAL PRISON PLANTS

Year	Atlanta cotton mill	Leavenworth shoe factory	Leavenworth brush factory	Leavenworth broom factory	Print shop	Total value <sup>1</sup>
1929.....	\$2,073,925.51	\$346,472.04	( <sup>2</sup> )	\$68,443.03	( <sup>2</sup> )	-----
1930.....	1,948,480.17	475,995.69	\$9,675.66	120,601.55	( <sup>2</sup> )	-----
1931.....	1,476,938.48	575,651.62	121,704.39	107,331.63	( <sup>2</sup> )	-----
1932.....	708,941.10	614,662.35	132,429.65	79,236.65	\$31,931.27	-----
Total.....	6,208,285.26	2,012,781.70	263,809.70	375,612.86	31,931.27	\$8,992,420.81

<sup>1</sup> For the last 4 years the number of prisoners employed in the Atlanta mill has averaged 56 percent of the total number of all Federal prisoners employed in manufacturing.

<sup>2</sup> Not operating.

<sup>3</sup> No record.

<sup>4</sup> But because of the high degree of mechanization the value of the Atlanta cotton-mill production has averaged 70 percent of the total value of products manufactured in Federal prisons.

*Production, in pounds, of numbered duck—Atlanta Penitentiary*  
(Classified, by width, according to Department of Commerce simplified practice, Bulletin No. 27)

Year	Narrow duck (3-20 inches)	Sail duck (22-24 inches)	Wide duck (over 24 inches)	Total numbered duck
1929.....	12,421	682,018	4,446,926	5,141,365
1930.....	14,298	814,952	4,138,950	4,968,200
1931.....	3,466	425,705	4,784,446	5,213,617
1932.....	62,073	533,043	2,752,442	3,347,558

#### Atlanta Penitentiary—percent of numbered duck to total fabric produced (pounds)

Year	Total	Numbered duck	Percent numbered duck to total
1929.....	5,650,929	5,141,365	91
1930.....	5,728,086	4,968,200	87
1931.....	5,921,087	5,213,617	88
1932.....	3,947,513	3,347,558	85
Total.....	21,247,615	18,670,740	87.7

<sup>1</sup> That the Atlanta prison will concentrate on numbered duck is proved by the 4-year average, showing that numbered duck constituted 87.7 percent of the total production in pounds.

#### COMPARISON OF PRODUCTION OF NUMBERED DUCK

	Atlanta Penitentiary	Free mills	Percent Atlanta to free mills
1929.....	5,141,365	24,630,331	21.0
1930.....	4,968,200	25,333,506	19.5
1931.....	5,213,617	17,748,381	29.4
1932.....	3,347,558	14,012,295	24.0
Total.....	18,670,740	81,724,513	23.4

<sup>1</sup> Finally, this production of numbered duck by the Atlanta mill equaled 23.4 percent of the production of numbered duck by the free mills.

[These figures were furnished at the request of Walter R. Staub, secretary of the Cotton Duck Association, by J. V. Bennett, Assistant Director of the Bureau of Prisons, Department of Justice, Washington, D.C.]

### Production of the United States Cotton Duck Mill (Atlanta Penitentiary) since it started operation in September 1919

Fiscal year	Total pounds	Total yards	Total value
1920.....		315,000	\$246,493.41
1921.....		658,485	298,388.55
1922.....		3,153,994	1,191,797.85
1923.....	3,699,101	3,884,456	1,721,287.27
1924.....	2,454,080	2,630,681	1,351,650.14
1925.....	3,246,838	3,507,929	1,665,187.66
1926.....	2,716,747	3,111,924	1,210,057.63
1927.....	3,858,613	4,552,214	1,289,074.61
1928.....	5,059,015	5,824,680	1,739,444.24
1929.....	5,650,929	6,538,597	2,078,925.51
1930.....	5,728,086	6,856,021	1,948,480.17
1931.....	5,921,087	6,705,037	1,476,938.43
1932.....	3,947,513	4,495,556	708,941.10

Mr. TARVER. Mr. Chairman, if there is anyone who desires to ask any questions which are pertinent to this bill, I shall be glad to answer them.

Mr. GLOVER. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Arkansas.

Mr. GLOVER. As I understand this bill, it is left purely in the discretion of the President of the United States, if the bill passes, whether or not he appoints this commission.

Mr. TARVER. Yes. He must appoint the board of directors. It is left in his discretion as to whom he shall appoint on the board, and he is required to transfer to the corporation certain duties now resting in the Attorney General, and other duties may be transferred in his discretion.

Mr. GLOVER. Here is the language of the bill to which I refer: "The President is hereby authorized and empowered in his discretion to create this body corporate." I refer particularly to the language "in his discretion." If he did not want to do it, he would not be compelled to do it.

Mr. TARVER. I think the language used is almost if not quite equivalent to a mandate. However, that would be a question of construction, as to which the gentleman would be entitled to his opinion as well as I.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I yield myself 3 additional minutes.

Mr. Chairman, what I was undertaking to discuss in reply to the gentleman's question was section 3, regarding whether or not the President should transfer to the corporation, when created, the powers now exercised by the Attorney General. That is what I thought the gentleman had reference to.

Mr. GLOVER. I had reference to section 1, line 8.

Mr. TARVER. In that connection I direct attention to the fact that the section requires that the President shall transfer to said corporation the duty of determining in what manner and to what extent industrial operations shall be carried on in Federal penal and correctional institutions, and may transfer at his discretion certain other duties.

Mr. McFARLANE. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Texas.

Mr. McFARLANE. I am wondering if the information the gentleman is inserting in the RECORD covers the varied activities carried on in the different penal institutions?

Mr. TARVER. Yes; the information will disclose that matter.

Mr. McFARLANE. Will it show as to the Federal institutions anything as to their activities?

Mr. TARVER. It will show all about the Federal institutions, not State institutions, because this bill relates wholly to Federal institutions.

Mr. McFARLANE. Does it show anything as to the receipts and disbursements and also as to how much it is costing the Government?

Mr. TARVER. It shows as of certain years information with reference to the goods manufactured in the Federal penal institutions of various sorts. Incidentally in that connection it shows that practically all these goods were goods manufactured in the cotton-duck line and in the shoe business. These two industries alone have been made to



bear almost all the burden of prison competition with free industry.

Mr. ELTSE of California. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from California.

Mr. ELTSE of California. The President is authorized in his discretion to create a body corporate in the District of Columbia. What is meant by the District of Columbia?

Mr. TARVER. It is meant that the site of the corporation will be in the District of Columbia. The home office of the corporation would be in the District of Columbia. It would be a corporation of the District, although it would have jurisdiction and control of the work in Federal penal institutions throughout the United States.

Mr. UMSTEAD. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from North Carolina.

Mr. UMSTEAD. May I inquire of the gentleman if the Attorney General of the United States now has the power which this bill would vest in the board to be created?

Mr. TRAVER. Yes. I tried to make that clear at the opening. This bill does not create any additional powers, but merely provides for the transfer of the powers now of the body corporate created by this bill of the powers now possessed by the Attorney General to the board of directors of the body corporate created by this bill, part of the powers to be transferred in the discretion of the President.

Mr. UMSTEAD. May I ask the gentleman the further question: If the Attorney General of the United States now has all the power that this bill gives the board created under it, why does not the Attorney General exercise that power?

Mr. TARVER. The gentleman's question, I think, has been answered by the gentleman from Texas [Mr. SUMNERS] in his admirable address in the beginning of the debate. Whenever the Attorney General undertakes to diversify the activities of the prison inmates so as not to burden unjustly one particular industry, some limitation, as in the Lewisburg case, is placed upon his authority by some amendment to an appropriation bill forbidding the diversification contemplated. Thus it has been impossible for him to diversify. This legislation will insure proper diversification by placing power in an impartial board free from interference to carry out the act of May 27, 1930.

Furthermore, with regard to the question of whether or not we should be satisfied to leave the powers in the hands of the Attorney General, it seems to me this answer should be conclusive. The exercise of this authority by the Attorney General has not only been unsatisfactory to him but has also been very unsatisfactory to industry and very unsatisfactory to labor, and these interests are anxious that the authority shall be transferred to a board upon which they shall have representation, in the hope that the whole subject matter may be handled in a way that will accord justice to everybody concerned. Why have a lawyer, the Attorney General, handling alone a matter which directly affects industry, labor, and agriculture? Why not let these interests have representation upon the authority handling the question? [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I reluctantly and regretfully feel constrained to make a point of no quorum.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and five Members present, a quorum.

Mr. KURTZ. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, I am just as much in sympathy with the regulation of the cotton-duck industry in the Atlanta Federal Penitentiary as my friend the gentleman from Georgia [Mr. TARVER]. I think we ought to have it regulated. I can see no reason why one-third of the cotton duck of this country should be made in the Atlanta Penitentiary. I believe this is wrong.

The important point I am trying to stress here this evening is the fact that we now have set up by law the power in the Attorney General of the United States to do exactly the things we are trying to do under this bill. When we complicate our laws to the extent that we have dual author-

ity, then we are not trying to make our laws simpler so that the ordinary man may know just what is the law of the land.

I think if the Attorney General of the United States now has this authority, it is the duty of the Congress to tell the Attorney General just what we should like to have done. It is the duty of this Congress to tell the Attorney General that we should not have over 10 percent of the cotton duck manufactured in the Atlanta Penitentiary, if that is the will of my friend, the gentleman from Georgia [Mr. TARVER]. He will then issue orders to that effect. I would be with him and would do anything I can to see that this is accomplished; but why should we go ahead now and set up another board or another organization?

It is almost unbelievable that this Congress should be in favor of this bill, especially under the administration we have at the present time, which says we are going to unify the various departments and that we are going to try to get away from the complications and many bureaus we now have. This is not in accordance with the ideas that have been expressed here to the effect that we are going to eliminate various boards or that we are going to eliminate various bureaus. We are doing the very thing the administration promised we would not do, and that is, to set up additional boards and add to our national expenditures.

Why you men of this House want to support a measure of this kind I cannot understand. I know my friend, the gentleman from Georgia [Mr. TARVER], is not in sympathy with this manner of accomplishing the end. I feel confident he is not. I believe that someone has advised him we must set up this board and he is trying to carry out orders, and I do not blame him for that, but I think the Congress should stop it. Why we should go ahead and do this I cannot for the life of me understand.

I want to say to my friend from Georgia [Mr. TARVER], let us put through a resolution in this House to limit the manufacture of cotton duck to 10 percent of the requirements of the people of this country at this time, and I shall support him in every way I know how.

Mr. RAMSPECK and Mr. KELLER rose.

Mr. RICH. I yield first to the gentleman from Georgia [Mr. RAMSPECK].

Mr. RAMSPECK. Does not the gentleman realize that Congress recently kept the Attorney General from carrying out the law by putting a limitation on the appropriation bill applying to the Eastern Penitentiary?

Mr. RICH. I may say to the gentleman from Georgia that at the present time, when people on the outside are crying for work, we should not make favorites of the men who are in the penitentiaries and try to give them work which we should give to the men who are on the outside. When the time comes that we can properly give production work to the men in penitentiaries after men in our industries are cared for, then I would agree that the rules that are to be carried out by Sanford Bates would be all right because he is interested in doing what he can for men in penal institutions.

Mr. RAMSPECK. Did not the gentleman support a limitation on the appropriation bill to keep him from carrying out the present law?

Mr. RICH. At the present time; yes. I say we do not want anything made in the penitentiaries while men on the outside are crying for work.

Mr. RAMSPECK. Then let us provide a plan that Congress will let him carry out.

Mr. RICH. I am not in favor of that while men on the outside need work, and I want to stress this all I can. I think there are many men on the gentleman's side of the House who agree with me on this particular point, but in times when we can afford to have these various things made in such institutions in order to keep such people busy, I would say let us give them a job and give them something to do, but I do hope that those in authority and in control of penal institutions will certainly prohibit mass production. We ought not to permit that now, because it is certainly our duty to stop mass production, and care for free labor.

I hope we will make that so clear that Mr. Bates will discontinue the use of machines all he possibly can.

Mr. KELLER. Will the gentleman yield?

Mr. RICH. I yield.

Mr. KELLER. How does the gentleman know that 10 percent will be correct?

Mr. RICH. If they are making 38 percent now, as given in the report—and that is the idea of the gentleman from Georgia and people who are interested in the production of cotton duck—I am for the people who are outside laboring in the cotton-duck industry. I want to help them. I do not want to help the people in the penal institutions in preference to those on the outside. I would say cut out the manufacture of duck in penal institutions altogether, if necessary to accomplish the best for free labor.

Mr. KELLER. Would the gentleman be willing to pass on this matter without studying it further?

Mr. RICH. We have all the information we need. If you will look at the record, you will see that we have all the data and all the information as to the manufacture of goods in penal institutions and how much is manufactured on the outside. We have the information now.

Mr. KELLER. Does the gentleman, before the House and as a business man, say that he is ready to pass on this without further study?

Mr. RICH. I say "yes." We have the information; we have it in the hearings. We know all that we want to know on that subject.

Mr. KELLER. I should like to have the gentleman show it to me now.

Mr. RICH. The gentleman knows that I have not the data on the floor of the House but can secure it for him in a short time if he so desires.

Mr. HENNEY. Will the gentleman yield?

Mr. RICH. I yield.

Mr. HENNEY. Would the gentleman be in favor of the prisoners' making clothing for their individual use?

Mr. RICH. Well, I think we ought to do something to employ them if possible, but I want to give preference at this time to men on the outside. I do not say that we should not give the prisoners a job.

Mr. HENNEY. The gentleman does not want to keep them in luxury and make Dillingers out of them?

Mr. RICH. No; I think we ought to do all we can to help them; but the point I am making is that we ought to give consideration to the laborers on the outside who never committed a crime in preference to a convict.

[Here the gavel fell.]

Mr. MARTIN of Massachusetts. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman makes the point that there is no quorum present. The Chair will count. [After counting.] One hundred and one Members are present.

Mr. MARTIN of Massachusetts. Mr. Chairman, I move that the Committee do now rise.

The question was taken; and on a division (demanded by Mr. MARTIN of Massachusetts) there were 12 ayes and 87 noes.

Mr. MARTIN of Massachusetts. Mr. Chairman, I demand tellers. That vote does not show a quorum.

Mr. SNELL. Mr. Chairman, I make the point of order that there is not a quorum present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-five Members are present; not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 159]

Abernethy	Boehne	Cannon, Wis.	Corning
Allgood	Boland	Carley	Crowe
Andrew, Mass.	Boylan	Cary	Culkin
Andrews, N.Y.	Brennan	Cavicchia	Cummings
Auf der Heide	Britten	Celler	Darden
Bacharach	Brown, Mich.	Chapman	Dear
Bacon	Browning	Chase	Delaney
Bailey	Buckbee	Chavez	De Priest
Bankhead	Bulwinkle	Church	DeRouen
Beck	Burch	Claiborne	Dickstein
Beedy	Burke, Calif.	Clark, N.C.	Dies
Berlin	Burke, Nebr.	Condon	Ditter
Biermann	Burnham	Connolly	Dockweiler
Flack	Busby	Cooper, Ohio	Douglass

Doutrich	Jenkins, Ohio	O'Connell	Studley
Doxey	Kelly, Pa.	O'Malley	Sullivan
Drewry	Kennedy, N.Y.	Oliver, N.Y.	Sutphin
Eaton	Kleberg	Palmisano	Sweeney
Evans	Kniffin	Park	Swick
Fernandez	Kvale	Peavey	Taylor, Colo.
Flannagan	Lambertson	Peterson	Taylor, S.C.
Focht	Lamneck	Pettengill	Taylor, Tenn.
Ford	Lea, Calif.	Peyster	Terrell, Tex.
Foulkes	Lee, Mo.	Prall	Thom
Frear	Lehibach	Randolph	Thompson, Ill.
Fulmer	Lesinski	Ransley	Thompson, Tex.
Gambrell	Lewis, Md.	Rayburn	Thurston
Gasque	Lloyd	Reece	Tinkham
Goodwin	Luce	Reed, N.Y.	Tobey
Green	McClintic	Reid, Ill.	Treadway
Greenway	McDuffie	Richards	Truax
Gregory	McGrath	Richardson	Underwood
Griffin	McLeod	Robinson	Utterback
Guyer	McMillan	Rogers, N.H.	Vinson, Ga.
Haines	Maloney, La.	Rogers, Okla.	Wadsworth
Hamilton	Mansfield	Sabath	Wallgren
Hancock, N.C.	Marland	Sadowski	Walter
Harlan	Marshall	Scrugham	Weaver
Hart	May	Sears	Weideman
Harter	Mead	Shannon	White
Healey	Merritt	Shoemaker	Whitley
Hess	Millard	Simpson	Wilcox
Higgins	Milligan	Sinclair	Wilson
Hoeppel	Monaghan, Mont.	Sisson	Withrow
Holdale	Montague	Smith, Wash.	Wolfenden
Hollister	Montet	Smith, W.Va.	Wood, Ga.
Hope	Moynihan, Ill.	Spence	Woodruff
Huddleston	Muldorney	Stalker	Woodrum
Hughes	Murdock	Stegall	Young
James	Musselwhite	Stokes	Zioncheck
Jeffers	Nesbit	Strong, Pa.	
Jenckes, Ind.	Norton	Stubbs	

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. KERR, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 9404) to authorize the formation of a body corporate to insure the more effective diversification of prison industries, and for other purposes, and finding itself without a quorum, he had directed the roll to be called, when 224 Members answered to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The SPEAKER. The names of the absentees will be spread upon the Journal pursuant to the rule. The Committee will resume its session.

The Committee resumed its session.

Mr. TARVER. Mr. Chairman, in view of the situation into which we seem to have fallen, I do not believe it is advisable for this side to consume time further, and it is not my purpose to yield time further for debate unless something transpires which has not yet been called to our attention. So I suggest that the gentleman from Pennsylvania, if he desires to consume time further at this hour of the night, yield the remainder of his time to whomsoever he pleases.

Mr. KURTZ. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I am sorry that things have reached such a pass in the House of Representatives that no one can present his objections to a measure that is pending or ask for a vote upon it without being accused of conducting a filibuster. I am sorry that the majority feel called upon to resort to the allegation that a filibuster is being conducted as the only argument it is able to present in favor of legislation.

I want to tell the House something of the situation with reference to this prison business. It is the duty of the Congress of the United States, in my opinion, to legislate with reference to what industries shall be conducted in our Federal prisons and as to how they shall be conducted. During the time of my service in this House I have seen bills brought in here prescribing that certain industries may be conducted in the Federal prisons. I have seen those bills debated, after careful consideration by the Committee on the Judiciary, and I have seen those bills passed, and I have seen them become law.

I believe our present Committee on the Judiciary is competent to go into that situation and to lay out a program for industries in our Federal prisons, and to bring it before the House. I do not believe the Membership of the House



is so barren of common sense that it will, when given such a program, fail to give it fair and honest consideration and fail to come to a legitimate and fair and honest conclusion on that subject.

We did pass a bill creating the prison industries' capital fund, and we delegated to the Superintendent of Prisons the power to decide what industries should be started in the prisons. He went ahead and spent a lot of money building a factory, as has been stated here. Then the Congress felt that that was not the kind of a factory that it wanted and it ruled it out.

Now, what is the effect of this bill? I think the Congress ought to understand what the effect of this bill is, so that it can pass fairly and intelligently upon the bill that is before the committee. The effect of the bill is to take that jurisdiction out of the hands of the Attorney General and place it in a corporation to be created, and turn over to that corporation the working capital of the prison industries' fund. It also provides that that corporation can use the income or interest upon that fund that shall accrue. Now, what is the effect of that?

[Here the gavel fell.]

Mr. KURTZ. Mr. Chairman, I yield the gentleman from New York 5 additional minutes.

Mr. TABER. The effect of that operation is that the Congress loses control over that situation entirely which it has heretofore had in the Attorney General, because the appropriation of money will not be asked for by this corporation from year to year, and it can go ahead and run just as wild as it feels in the program of industries in the prisons. Frankly, that is what I do not like about this bill.

I feel that Congress should meet its responsibility; that it should not delegate its responsibility beyond the possibility of control, except on a bill which is brought to the floor from the committee and fought through every time a mistake is made by that kind of an operation. I feel that we should meet our responsibility and not delegate it to some corporation, the directors of which are to be appointed by the President.

Now, there are some other features of this bill that I do not like.

Frankly, unless the rule had been modified, I should have made a point of order against section 4 because section 4 turns over from the Secretary of the Treasury all balances standing to the credit of the prison industries working capital funds. That is, in effect, an appropriation, and it is an appropriation on a bill that comes from a committee other than the Appropriations Committee. I do not believe we ought to do such a thing; I think we should keep away from it.

Mr. DUNN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. DUNN. If this legislation is not good why would the American Federation of Labor support it?

Mr. TABER. I think the American Federation of Labor has been very much deceived, because the American Federation of Labor was opposed to the action of the Attorney General in starting the industry at Lewisburg; they fought it. Now, this corporation can do the same thing, and there is absolutely no recourse in the annual appropriation bills such as we had against the action of the Attorney General. The American Federation of Labor has been misled and deceived as to the effect of this proposition.

Mr. DUNN. Mr. Chairman, if the gentleman will yield further, I understand that the features of the bill objectionable to the American Federation of Labor were taken out.

Mr. TABER. They have not studied the bill sufficiently to understand it; they have been deceived on the question.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. BLANTON. Suppose the American Federation of Labor had not been deceived; our friend over here seems to think that it is omniscient, omnipotent, omnipresent, can do no wrong, and greater than God Almighty.

Mr. TABER. Well, we ought to be able to pass a bill in the House without having to be told what to do.

Mr. BLANTON. I do not take my orders from the American Federation of Labor any more than I do from the American Federation of Capital. When they are right, I am for them. When they are wrong, I am against them. And I do not worship at the feet of either of them.

Mr. TABER. I am in hopes that the Members will vote on this legislation as they have before, upon its merit, because by turning down this bill we shall give the Judiciary Committee an opportunity to bring us a program for prison industries which is well laid out after careful consideration by that committee which I believe is one of the ablest committees in the House. I believe it is fully competent to do it; and I think if the matter is left to them appropriate legislation will be brought out.

I do not think we ought to delegate our authority to somebody else.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. BLANTON. The committee has agreed to amend this bill and to take out a very objectionable feature of this bill by eliminating the \$20-per-day salaries and requiring the members of the board to work without pay. One of the greatest objections I had to the bill, that of creating a new, expensive, unnecessary board, thus has been eliminated by this action of the committee; and with that eliminated I intend to vote for the bill.

[Here the gavel fell.]

Mr. KURTZ. Mr. Chairman, I yield 2 additional minutes to the gentleman from New York.

Mr. BLANCHARD. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. BLANCHARD. I assume the provision still remains in the bill providing for the payment of office expenses?

Mr. TABER. These expenses will go on if this commission is established and they will get paid somehow, I expect. I do not believe we can have a commission of this kind, the members of which are not paid.

I say we ought not to delegate our authority to somebody over whom we have no control, giving them authority to do something with prison industries that we will regret every year as we come back here.

I do not think we ought to pass this bill. I think we ought to beat it.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, in view of the argument of the gentleman from New York, I yield 5 minutes to the gentleman from Missouri [Mr. Wood], president of the Federation of Labor of the State of Missouri.

Mr. WOOD of Missouri. Mr. Chairman, I did not intend to say anything on this legislation, but certain remarks have been made in connection with the discussion of this bill about the American Federation of Labor and a great many other remarks have been made about how much some people love free labor.

The fact of the matter is that the American Federation of Labor has been attempting for the past 30 years to establish diversified industries in various State prisons throughout the country; and this bill, in my opinion, gives us the opportunity to decide whether we want mass production in our prisons or diversified industry.

The passage of this bill by Congress will have a great effect upon the action of the various States with respect to the State penitentiaries.

I care not whether the proposed commission be appointed by the Attorney General or by the President of the United States. I do not believe in the establishment of any more boards and bureaus than are necessary to carry out the functions of the Government. If this bill is passed, I prefer, as the bill provides, that the President of the United States appoint this commission.

This commission must not be appointed temporarily. If we are going to have diversified industries in the Federal prisons, the commission must be a permanent one. I do not know how to pick a board of representatives better qualified to carry out the provisions of the bill than to have

on that board a representative of industry, a representative of labor, and a representative of agriculture.

Mr. Chairman, it is not a question of whether one is in favor of free labor or more work being done in penitentiaries, for everybody knows that we are going to continue to employ the inmates of our State and Federal prisons.

May I say that the greater part of the population of our prisons today ranges in age from 18 to 30 years. Anyone who advocates sending a young man who has made a slip and is convicted and goes to prison for the first time, who advocates a condition where he will be compelled to sit down and do nothing, compelled to remain idle during his incarceration, does not know anything about prison management. [Applause.] Those individuals are not only committing a crime against the prisoner, but they are committing a crime against society.

I should also say a word as to the diversification of prison industry. The Missouri State Penitentiary has for many years been carrying on three or four industries—clothing, shoes, brooms, saddlery. Ninety percent of the output of the Missouri Penitentiary comes under those four industries, and a great majority of the entire output has been garments. When you realize that 90 percent of the workers in the garment industry are women you can readily realize what a crime has been committed against a young man who happens to get 2, 3, or 4 years in the penitentiary when you teach him a woman's trade. He usually comes out a mental, physical, and moral wreck.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. WOOD of Missouri. Mr. Chairman, I hope you will not confuse this bill with the question as to whether organized labor or someone else wants the bill. The industries who have been most affected by prison labor in this country have for 25 years to my knowledge been in favor of and battling for a system of diversification of prison industry. These industries I have mentioned, together with a number of others, have cooperated with us for all these years trying to diversify prison industry.

The gentleman from Pennsylvania [Mr. RICH] mentioned a minute ago that he was for free labor. The gentleman, as I understand it, is the manager of a large woolen factory. The gentleman from Pennsylvania opposes a 6-hour day. If he is so much in favor of giving free labor employment he ought to reduce the hours of the two or three industries he is connected with and give some of the unemployed a chance to work and not try to deprive these unfortunate prisoners of doing some kind of useful work.

[Here the gavel fell.]

Mr. RICH. If the gentleman would do something about employing labor he would be doing more for his country.

Mr. WOOD of Missouri. The gentleman should reduce his hours of labor to 6 a day.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc., That in order more effectively to carry out the policy and purposes of the act of May 27, 1930 (46 Stat. 391; U.S.C., title 18, sec. 711), entitled "An act to provide for the diversification of employment of Federal prisoners, for their training and schooling in trades and occupations, and for other purposes", the President is hereby authorized and empowered, in his discretion, to create a body corporate of the District of Columbia to be known as "Federal Prison Industries."*

Mr. McGUGIN. Mr. Chairman, I offer a motion to strike out the enacting clause, which I send to the desk.

The Clerk read as follows:

Mr. McGUGIN moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. McGUGIN. Mr. Chairman, we talk about labor being for this bill. So far as organized labor is concerned, it has been "stood up" in connection with this bill. I grant the first Tarver bill worked a greater wrong on free labor than this bill. The first bill found the American Federation of Labor unalterably opposed to it, and none other than President Green wrote me a letter to that effect. I take it that

the American Federation of Labor regards this bill as the best compromise it could obtain under the circumstances, believing that Congress would pass the other bill if they did not reach some sort of a compromise.

Mr. TARVER. Will the gentleman yield?

Mr. McGUGIN. I yield to the gentleman from Georgia.

Mr. TARVER. The gentleman, I know, does not want to make an error. In connection with the first bill may I say that the American Federation of Labor expressed no opinion. The gentleman undoubtedly has in mind a bill immediately prior to this bill.

Mr. McGUGIN. I refer to the former Tarver bill that has been before this House.

Mr. TARVER. We have had three or four bills.

Mr. McGUGIN. So far as this bill is concerned, it still leaves unlimited power in this board to make and manufacture goods with convict labor. In section 3 it is stated:

*It shall be the duty of the board of directors to diversify so far as practicable prison industrial operations and so operate the prison shops that no single private industry shall be forced to bear an undue burden of competition from the products of the prison workshops.*

Of course, if the Congress wants to go ahead boldly and enact this legislation, taking the power out of the Congress and leaving it in the hands of an appointive board to control the conduct of these prison factories, well and good, but when that time comes we shall find that the control over prison-made goods is removed a long ways from any influence of free labor. Free labor stands a better chance of being protected so long as that power rests in the Congress, which is composed of Members who are elected every 2 years. When this power is placed in a board which is not to be voted upon, then labor is "stood up", and that is all you can make out of the matter.

Furthermore, so far as this bill is concerned, and as it is being considered here in Committee of the Whole, I take the position that the Committee should rise and report the bill back to the House with the recommendation that the enacting clause be stricken out. [Further remarks expunged.]

Mr. BYRNS. Mr. Chairman, I make the point of order that the gentleman is not addressing himself to his motion.

The CHAIRMAN. The gentleman will proceed in order.

Mr. McGUGIN. I take the position I am in order. [Further remarks expunged.]

Mr. BYRNS. Mr. Chairman, I make the point of order the gentleman should confine himself to the motion.

Mr. McGUGIN. I am, and I ask for a ruling of the Chair.

Mr. BLANTON. Mr. Chairman, I ask that the gentleman's words be taken down, because they impugn the integrity of the Speaker, and for this reason I ask that the words be taken down. The Speaker of this House is not only the Speaker of the Democrats, he is the Speaker of the Republicans—

Mr. McGUGIN. Take them down—no words I can say can impugn the Speaker of this House. [Further remarks expunged.]

Mr. BLANTON. I ask that these words be taken down—all of them, Mr. Chairman.

The CHAIRMAN. The gentleman from Kansas will take his seat.

Mr. RICH. Mr. Chairman, what are the clerks here for if they are not taking down his words? There is no use for the gentleman from Texas to make that statement.

Mr. BLANTON. The gentleman from Pennsylvania [Mr. RICH] is out of order and the gentleman knows it.

The CHAIRMAN. The gentleman from Pennsylvania will take his seat.

Mr. BYRNS. Mr. Chairman, I ask that the gentleman from Kansas take his seat, under the rules of the House.

Mr. RICH. Mr. Chairman, I rise in opposition to the motion.

The CHAIRMAN. The gentleman will take his seat.

The Clerk will report the language objected to.

The Clerk read certain words used.

Mr. BLANTON. Mr. Chairman, they are not all of the words objected to. I ask that the reference be taken down



where the gentleman referred to the Speaker. I ask that those words be taken down in addition to these words.

The CHAIRMAN. The words referred to will be taken down.

Mr. BLANTON. It was the reference to the Speaker that caused me to ask that the words be taken down.

The CHAIRMAN. The Clerk will report the language objected to.

The Clerk read the words used to which objection was lodged.

Mr. BLANTON. Mr. Chairman, I move that those words taken down be stricken from the RECORD.

Mr. SNELL. The words will have to be first reported to the House.

The CHAIRMAN. The Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KERR, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H.R. 9404, certain words used in debate were objected to, and on request were taken down and read at the Clerk's desk, and he herewith reported the same to the House.

The SPEAKER. The Clerk will report the words taken down.

The Clerk read the words that were taken down.

(The House voted to expunge the words from the RECORD.)

Mr. BLANTON. Mr. Speaker, I make the point of order that this language is against the rules of this House in that it imputes dishonesty to the Speaker in his rulings and in ignoring the rules of the House, and I move that the words be stricken from the RECORD.

The SPEAKER. Inasmuch as the Speaker is directly concerned, the Chair will ask the majority leader, the gentleman from Tennessee [Mr. BYRNS] to take the chair.

Mr. BYRNS assumed the chair as Speaker pro tempore.

Mr. BLANTON. Mr. Speaker, I make the point of order that the language used by the gentleman from Kansas [Mr. McGUGIN] in debate in Committee of the Whole House on the state of the Union is against the rules of the House in that they impute dishonesty to the Speaker of this House and wrongful motives in ignoring the rules of this House, and I move that the words be stricken from the RECORD and upon that I move the previous question.

Mr. SNELL. Mr. Speaker, I desire to be heard upon this.

Mr. BLANTON. Mr. Speaker, I move the previous question upon my motion.

Mr. MAPES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MAPES. My understanding of the rule is that that is a matter for the Speaker to decide, and until decided the motion of the gentleman from Texas is not in order.

The SPEAKER pro tempore. The Chair will decide the matter at the proper time.

Mr. MAPES. I make the point of order that the motion of the gentleman from Texas is not in order; that that is a function of the Speaker.

Mr. BLANTON. And I make the further point of order that it is not debatable.

The SPEAKER pro tempore. It is necessary for the Chair first to pass upon the words and decide whether they are out of order before the motion of the gentleman from Texas to strike them out can be entertained.

Mr. SNELL. Mr. Speaker, I ask that the proceedings which occurred just before we went into the Committee of the Whole and which caused this discussion be read first.

Mr. BLANTON. I make the point of order that this is not debatable.

The SPEAKER pro tempore. The Chair does not think it necessary to read the proceedings to which the gentleman from New York refers. Of course, they could be read by unanimous consent, but only by unanimous consent.

Mr. SNELL. Mr. Speaker, I make that request.

Mr. McFARLANE. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard. The gentleman from Kansas [Mr. McGUGIN] is reported to have used the following language in the course of his discussion:

I take the position I am in order because I am charging that the House is not lawfully or honestly, under the rules of this House, in Committee of the Whole \* \* \* for the good and sufficient reason that this House is not now honestly, fairly, truthfully, and, within the rules of the House, in the Committee of the Whole, for the good and sufficient reason that the Speaker completely repudiated and ignored the rules of this House.

The Chair thinks, when the entire statement of the gentleman from Kansas is considered, that these words are clearly out of order.

Mr. BLANTON. Mr. Speaker, I move that they be expunged from the RECORD, and upon that I move the previous question.

Mr. BLANCHARD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Texas [Mr. BLANTON] moves that the language read be expunged from the RECORD, and upon that he moves the previous question.

Mr. SNELL. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Wisconsin and the gentleman from New York make the point of order that there is no quorum present. The Chair will count. [After counting.] Two hundred and twenty-one Members present, a quorum. The question is on ordering the previous question.

The question was taken.

Mr. SNELL. Mr. Speaker, I demand the yeas and nays.

The SPEAKER pro tempore. The gentleman from New York demands the yeas and nays. Those in favor of taking this vote by the yeas and nays will rise and stand until counted.

Mr. O'CONNOR. Mr. Speaker, I make a point of order, and I want to have it ruled upon. The gentleman from Kansas [Mr. McGUGIN] was compelled to take his seat when the words were taken down, and to remain in his seat. He is now standing and voting.

The SPEAKER pro tempore. The Chair thinks that he has a right to vote. [After counting.] Forty-one Members have risen, not a sufficient number, and the yeas and nays are refused. The previous question is ordered. The question now is on the motion of the gentleman from Texas [Mr. BLANTON] that the language be expunged from the RECORD.

Mr. SNELL. Mr. Speaker, upon that I demand the yeas and nays.

The SPEAKER pro tempore. The gentleman from New York demands the yeas and nays. Those who favor taking the vote by the yeas and nays will rise and stand until counted. [After counting.] Forty-six Members have risen, a sufficient number, and the yeas and nays are ordered. The Clerk will call the roll.

The question was taken; and there were—yeas 176, nays 54, answered "present" 1, not voting 199, as follows:

[Roll No. 160]

YEAS—176

Adair	Colden	Fiesinger	Keller
Adams	Colmer	Fitzgibbons	Kelly, Ill.
Arens	Condon	Fitzpatrick	Kennedy, Md.
Arnold	Connery	Flannagan	Kennedy
Ayers, Mont.	Cooper, Tenn.	Fletcher	Kerr
Ayres, Kans.	Cox	Fuller	Kleberg
Beam	Cravens	Gavagan	Kloeb
Beiter	Crosby	Gillespie	Kocialkowski
Bland	Cross, Tex.	Glover	Kopplemann
Blanton	Crosser, Ohio	Goldsborough	Kramer
Bloom	Crump	Granfield	Lambeth
Brooks	Cullen	Gray	Lamneck
Brown, Ga.	Deen	Greenwood	Lanham
Brown, Ky.	Dies	Gregory	Lanzetta
Brunner	Dingell	Hastings	Larrabee
Buchanan	Dobbins	Henney	Lehr
Buck	Doughton	Hildebrandt	Lemke
Byrns	Driver	Hill, Ala.	Lewis, Colo.
Cady	Duffey	Hill, Knute	Lewis, Md.
Caldwell	Duncan, Mo.	Hill, Samuel B.	Lindsay
Cannon, Mo.	Dunn	Howard	Lozier
Cannon, Wis.	Durgan, Ind.	Imhoff	Ludlow
Carden, Ky.	Eagle	Jacobsen	Lundeen
Carmichael	Edmiston	Johnson, Minn.	McCarthy
Carpenter, Kans.	Elcher	Johnson, Okla.	McCormack
Cartwright	Ellenbogen	Johnson, Tex.	McFarlane
Castellow	Ellzey, Miss.	Johnson, W. Va.	McKeown
Cochran, Mo.	Faddis	Jones	McMillan
Coffin	Farley	Kee	McReynolds

McSwain	Parsons	Schaefer	Thomason
Maloney, Conn.	Patman	Schuetz	Thompson, Ill.
Martin, Colo.	Pierce	Schulte	Turner
Martin, Oreg.	Polk	Secrest	Umstead
Mead	Ramsay	Shallenberger	Vinson, Ky.
Meeks	Ramspeck	Smith, Va.	Wearin
Milligan	Rankin	Somers, N.Y.	Welch
Mitchell	Reilly	Spence	Werner
Morehead	Romjue	Steagall	West, Ohio
O'Brien	Rudd	Strong, Tex.	West, Tex.
O'Connor	Ruffin	Stubbs	White
Oliver, Ala.	Sabath	Summers, Tex.	Whittington
Owen	Sanders, La.	Swank	Willford
Palmisano	Sanders, Tex.	Tarver	Williams
Parker	Sandlin	Terry, Ark.	Wood, Mo.

## NAYS—54

Allen	Dowell	Kahn	Rogers, Mass.
Bakewell	Edmonds	Kinzer	Seger
Blanchard	Eltse, Calif.	Knutson	Snell
Bolleau	Englebright	Kurtz	Taber
Bolton	Fish	McFadden	Thomas
Carter, Calif.	Focht	McLean	Tobey
Carter, Wyo.	Foss	McLeod	Traeger
Clarke, N.Y.	Gilchrist	Mapes	Turpin
Cochran, Pa.	Goss	Martin, Mass.	Waldron
Collins, Calif.	Guyer	Mott	Wigglesworth
Crowther	Hancock, N.Y.	Perkins	Wolcott
Darrow	Hartley	Plumley	Wolverton
Ditter	Holmes	Powers	
Dondero	Hope	Rich	

## ANSWERED "PRESENT"—1

McGugin

## NOT VOTING—199

Abernethy	Delaney	Kvale	Sadowski
Allgood	De Priest	Lambertson	Scrugham
Andrew, Mass.	DeRouen	Lea, Calif.	Sears
Andrews, N.Y.	Dickinson	Lee, Mo.	Shannon
Auf der Heide	Dickstein	Lehlbach	Shoemaker
Bacharach	Dirksen	Lesinski	Simpson
Bacon	Disney	Lloyd	Sinclair
Bailey	Dockweiler	Luce	Sirovich
Bankhead	Douglass	McClintic	Sisson
Beck	Doutrich	McDuffie	Smith, Wash.
Beedy	Doxey	McGrath	Smith, W.Va.
Berlin	Drewry	Maloney, La.	Snyder
Biermann	Eaton	Mansfield	Stalker
Black	Evans	Marland	Stokes
Boehne	Fernandez	Marshall	Strong, Pa.
Boland	Ford	May	Studley
Boylan	Foulkes	Merritt	Sullivan
Brennan	Frear	Millard	Sutphin
Britten	Frey	Miller	Sweeney
Brown, Mich.	Fulmer	Monaghan, Mont.	Swick
Browning	Gambrill	Montague	Taylor, Colo.
Buckbee	Gasque	Montet	Taylor, S.C.
Bulwinkle	Gifford	Moran	Taylor, Tenn.
Burch	Gillette	Moynihan, Ill.	Terrell, Tex.
Burke, Calif.	Goodwin	Muldowney	Thom
Burke, Nebr.	Green	Murdock	Thompson, Tex.
Burnham	Greenway	Musselwhite	Thurston
Busby	Griffin	Nesbit	Tinkham
Carley, N.Y.	Griswold	Norton	Treadway
Carpenter, Nebr.	Haines	O'Connell	Truax
Cary	Hamilton	O'Malley	Underwood
Cavichia	Hancock, N.C.	Oliver, N.Y.	Utterback
Celler	Harlan	Parks	Vinson, Ga.
Chapman	Hart	Peavey	Wadsworth
Chase	Harter	Peterson	Wallgren
Chavez	Healey	Pettengill	Walter
Christianson	Hess	Peyser	Warren
Church	Higgins	Prall	Weaver
Claiborne	Hoepfel	Randolph	Weideman
Clark, N.C.	Hoidale	Ransley	Whitley
Cole	Hollister	Rayburn	Wilcox
Collins, Miss.	Huddleston	Reece	Wilson
Connolly	Hughes	Reed, N.Y.	Withrow
Cooper, Ohio	James	Reid, Ill.	Wolfenden
Corning	Jeffers	Richards	Wood, Ga.
Crowe	Jenckes, Ind.	Richardson	Woodruff
Culkin	Jenkins, Ohio	Robertson	Woodrum
Cummings	Kelly, Pa.	Robinson	Young
Darden	Kennedy, N.Y.	Rogers, N.H.	Zioncheck
Dear	Kniffin	Rogers, Okla.	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Warren (for) with Mr. Merritt (against).  
 Mr. Drewry (for) with Mr. Treadway (against).  
 Mr. Harlan (for) with Mr. Tinkham (against).  
 Mr. Bankhead (for) with Mr. Culkin (against).  
 Mr. Young (for) with Mr. Reed of New York (against).  
 Mr. Prall (for) with Mr. Luce (against).  
 Mr. Musselwhite (for) with Mr. Whitley (against).  
 Mr. Richards (for) with Mr. Goodwin (against).  
 Mr. Hamilton (for) with Mr. Bacharach (against).  
 Mr. Sears (for) with Mr. Hollister (against).  
 Mr. Miller (for) with Mr. Ransley (against).  
 Mr. Truax (for) with Mr. Jenkins of Ohio (against).  
 Mr. Oliver of New York (for) with Mr. Bacon (against).  
 Mr. Sullivan (for) with Mr. Simpson (against).  
 Mr. Boylan (for) with Mr. Lehlbach (against).  
 Mr. McGrath (for) with Mr. Andrew of Massachusetts (against).

Mr. Kniffin (for) with Mr. Higgins (against).  
 Mr. Randolph (for) with Mr. Beck (against).  
 Mr. Peterson (for) with Mr. Cooper of Ohio (against).  
 Mr. Taylor of South Carolina (for) with Mr. Eaton (against).  
 Mr. Clark of North Carolina (for) with Mr. Swick (against).  
 Mr. Brennan (for) with Mr. Millard (against).  
 Mr. Delaney (for) with Mr. Stokes (against).  
 Mr. Browning (for) with Mr. Wolfenden (against).  
 Mr. Darden (for) with Mr. Muldowney (against).  
 Mr. Black (for) with Mr. Doutrich (against).  
 Mr. Weaver (for) with Mr. Connolly (against).  
 Mr. Woodrum (for) with Mr. Reece (against).  
 Mr. Abernethy (for) with Mr. Dirksen (against).  
 Mr. Boehne (for) with Mr. Buckbee (against).  
 Mr. Bulwinkle (for) with Mr. Cavichia (against).  
 Mr. Collins of Mississippi (for) with Mr. Gifford (against).  
 Mr. McClintic (for) with Mr. Marshall (against).  
 Mr. Underwood (for) with Mr. Woodruff (against).  
 Mr. Corning (for) with Mr. Taylor of Tennessee (against).  
 Mr. Wilson (for) with Mr. Stalker (against).  
 Mr. Burch (for) with Mr. Wadsworth (against).  
 Mr. McDuffie (for) with Mr. Reid of Illinois (against).  
 Mr. Huddleston (for) with Mr. Evans (against).  
 Mr. Lea of California (for) with Mr. Beedy (against).  
 Mr. Mansfield (for) with Mr. Burnham (against).  
 Mr. Carley of New York (for) with Mr. De Priest (against).  
 Mr. Taylor of Colorado (for) with Mr. Hess (against).  
 Mr. Busby (for) with Mr. James (against).  
 Mr. Parks (for) with Mr. Moynihan of Illinois (against).  
 Mr. Green (for) with Mr. Strong of Pennsylvania (against).  
 Mr. Dickinson (for) with Mr. Withrow (against).  
 Mr. Celler (for) with Mr. Chase (against).

## General pairs:

Mr. Vinson of Georgia with Mr. Britten.  
 Mr. Cole with Mr. Frear.  
 Mr. Chapman with Mr. Kelly of Pennsylvania.  
 Mr. Fernandez with Mr. Peavey.  
 Mr. Douglass with Mr. Sinclair.  
 Mr. Disney with Mr. Thurston.  
 Mr. Allgood with Mr. Kvale.  
 Mr. Biermann with Mr. Shoemaker.  
 Mr. Doxey with Mr. Lee of Missouri.  
 Mr. Berlin with Mr. Robertson.  
 Mr. Lloyd with Mr. Scrugham.  
 Mr. Foulkes with Mr. Burke of Nebraska.  
 Mr. Gasque with Mr. Cary.  
 Mrs. Greenway with Mr. Montague.  
 Mr. Wallgren with Mr. Thom.  
 Mr. O'Malley with Mr. Hoepfel.  
 Mr. Church with Mr. Haines.  
 Mr. Sisson with Mr. Bailey.  
 Mr. Dickstein with Mr. Dockweiler.  
 Mr. Lesinski with Mr. Rogers of New Hampshire.  
 Mr. Shannon with Mr. Maloney of Louisiana.  
 Mr. Gillette with Mr. Fulmer.  
 Mr. Celler with Mr. Griswold.  
 Mrs. Norton with Mr. Utterback.  
 Mr. Weideman with Mr. Peyser.  
 Mrs. Jenckes of Indiana with Mr. Healey.  
 Mr. Crowe with Mr. Montet.  
 Mr. Smith of Washington with Mr. Frey.  
 Mr. Carpenter of Nebraska with Mr. Hughes.  
 Mr. Thompson of Texas with Mr. O'Connell.  
 Mr. Harter with Mr. Studley.  
 Mr. Smith of West Virginia with Mr. Kennedy of Maryland.  
 Mr. Rayburn with Mr. Sadowski.  
 Mr. Marland with Mr. Hoidale.  
 Mr. Cummings with Mr. DeRouen.  
 Mr. Hart with Mr. Murdock.  
 Mr. Sutphin with Mr. Walter.  
 Mr. Wilcox with Mr. May.  
 Mr. Wood of Georgia with Mr. Sweeney.  
 Mr. Richardson with Mr. Monaghan of Montana.  
 Mr. Pettengill with Mr. Moran.  
 Mr. Ford with Mr. Auf der Heide.  
 Mr. Dear with Mr. Jeffers.  
 Mr. Zioncheck with Mr. Gambrill.  
 Mr. Robinson with Mr. Sirovich.

The result of the vote was announced as above recorded.

Mr. KNUTSON. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER pro tempore (Mr. BYRNS). The point of order is overruled. The Committee will resume its session. The Committee resumed its session.

Mr. SNELL. Mr. Chairman, I move the gentleman from Kansas [Mr. McGugin] be allowed to proceed in order.

Mr. BLANTON. Mr. Chairman, I make a point of order against that motion being in order, but, to be fair and just, I ask unanimous consent that the gentleman from Kansas [Mr. McGugin] be allowed to proceed in order. I do not think he intended to violate the rules, or is as much responsible as somebody else over there.

Mr. O'BRIEN. Mr. Chairman, I object.

Mr. SNELL. Mr. Chairman, I move the previous question on the motion.

Mr. BYRNS. Mr. Chairman, I make the point of order that the previous question is not in order.



Mr. SNELL. It certainly is. The previous question is in order any time.

The CHAIRMAN. The gentleman from Kansas [Mr. McGugin], is recognized for 1 minute.

Mr. SNELL. Mr. Chairman, I ask that the motion be put.

Mr. O'CONNOR. If the Chair has ruled that the gentleman from Kansas has 1 minute more, he has not yet been given the privilege to proceed in order. A motion is pending.

Mr. SNELL. I made a motion, Mr. Chairman, and I ask for a vote.

The CHAIRMAN. The Chair put the unanimous-consent request.

Mr. O'CONNOR. And it was objected to.

The CHAIRMAN. The Chair heard no objection.

Mr. O'CONNOR. Oh, there were a half dozen objections.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. BLANTON]?

Mr. O'BRIEN. I object.

The CHAIRMAN. The question is, Shall the previous question be ordered?

Mr. SNELL. Mr. Chairman, I demand the yeas and nays on that motion.

The CHAIRMAN. The Chair rules that the yeas and nays cannot be ordered in Committee of the Whole.

Mr. SNELL. I ask for a division.

The previous question was ordered.

The CHAIRMAN. The question is on the motion of the gentleman from New York [Mr. SNELL].

The question was taken; and on a division (demanded by Mr. SNELL) there were—ayes 40, noes 103.

Mr. SNELL. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chair appointed Mr. SNELL and Mr. BYRNS to act as tellers.

The committee again divided; and the tellers reported there were—ayes 49, and noes 114.

So the motion was rejected.

Mr. TARVER. Mr. Chairman, I move that all debate on this section and all amendments thereto, including the motion of the gentleman from Kansas [Mr. McGugin], do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the motion of the gentleman from Kansas [Mr. McGugin].

The question was taken and on a division (demanded by Mr. McGugin) there were—ayes 38, and noes 93.

Mr. McGUGIN. Mr. Chairman, I demand tellers.

Mr. O'CONNOR. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. O'CONNOR. Under the rule a Member who has been compelled to take his seat after his words have been taken down can vote, and he can demand the yeas and nays. I wish the Chair to rule whether or not he can go further than that and demand divisions and demand tellers.

Mr. SNELL. Oh, he is not out of Congress yet. That does not preclude him from doing anything the rest of the session, does it?

The CHAIRMAN. The Chair holds that the gentleman has a right to demand a division and to demand tellers.

Mr. SNELL. I thought the Chair would so rule.

Mr. McGUGIN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. McGugin and Mr. TARVER to act as tellers.

The Committee again divided; and the tellers reported that there were—ayes 41, noes 121.

So the amendment was rejected.

The Clerk read as follows:

SEC. 2. The President shall appoint a board of directors of said corporation which shall consist of 5 persons, one of whom shall be a representative of industry, 1 a representative of labor, 1 a representative of agriculture, 1 a representative of consumers, and 1 a representative of the Attorney General. The board of directors shall serve at the will of the President, who may fix their compensation at not to exceed a sum of \$20 per day, while such directors are actually engaged in the performance of their duties.

Mr. KURTZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KURTZ: Page 2, line 9, after the word "President", strike out the remainder of line 9, all of lines 10 and 11, and insert in lieu thereof the words "and without compensation."

Mr. KURTZ. Mr. Chairman, the real controversy between the Members of the House concerning this bill, as I understand it, revolves around the question of the compensation that is to be paid the members of the board. Some of the Members believe it would cost at least \$20,000 a year.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. KURTZ. I yield.

Mr. TARVER. In view of the fact that the committee has accepted the gentleman's amendment, will not the gentleman forego argument? I think there is no question about the adoption of his amendment.

Mr. KURTZ. I will.

Mr. TARVER. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close.

The question was taken; and on a division (demanded by Mr. BLANCHARD) there were—ayes 115, noes 1.

So the motion was agreed to.

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania.

The amendment was agreed to.

The Clerk read as follows:

SEC. 3. The President shall transfer to said corporation the duty of determining in what manner and to what extent industrial operations shall be carried on in Federal penal and correctional institutions and may transfer to said corporation any part or all of the other powers and duties now vested in the Attorney General or any other officer or employee of the United States by said act of May 27, 1930. It shall be the duty of the board of directors to diversify so far as practicable prison industrial operations and so operate the prison shops that no single private industry shall be forced to bear an undue burden of competition from the products of the prison workshops.

Mr. BLANCHARD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent that I may proceed out of order.

Mr. O'BRIEN. Mr. Chairman, I object.

Mr. TARVER. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close.

The motion was agreed to.

The Clerk read as follows:

SEC. 4. The Secretary of the Treasury is hereby authorized and directed, upon the formation of the corporation to transfer to the credit of the corporation upon the books of the Treasury, all balances then standing to the credit of the prison industries working capital fund. All valid claims and obligations payable out of said fund shall be assumed by the corporation. The corporation is hereby authorized to employ the aforesaid fund, and any earnings that may hereafter accrue to the corporation, as operating capital and for the purposes enumerated in the said act of May 27, 1930, and also for the payment of compensation in such amounts as the Attorney General may authorize to inmates of penal institutions or their dependents for injuries suffered in any industry: *Provided*, That in no event shall compensation be paid in a greater amount than that provided in the Federal Employees' Compensation Act of September 7, 1916, as amended. The corporation shall from time to time deposit with the Treasurer of the United States to the credit of miscellaneous receipts, so much of its earnings as shall, in the judgment of its board of directors, exceed the amount needed for a reasonable operating capital and surplus. All accounts of the corporation shall be subject to audit by the Comptroller General of the United States.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 3, line 5, after the word "authorized" insert "pursuant to annual appropriation."

Mr. TABER. Mr. Chairman, this amendment is offered for the purpose of preserving the integrity of the bill repealing permanent appropriations which was passed by this House unanimously about 2 weeks ago. Unless this amendment is adopted, Congress will have no control whatever over the operations of this corporation created by the bill.

I hope the Committee will adopt the amendment.

Mr. TARVER. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment of the gentleman from New York?

The question was taken and on a division (demanded by Mr. TABER) there were—ayes 55, noes 107.

So the amendment was rejected.

The Clerk concluded the reading of the bill.

The CHAIRMAN. The Committee rises under the rule.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KERR, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee having had under consideration the bill (H.R. 9404) to authorize the formation of a body corporate to insure the more effective diversification of prison industries, and for other purposes, pursuant to House Resolution 369, he reported the bill back to the House with sundry amendments adopted by the Committee.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. McGUGIN demanded the reading of the engrossed bill.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9061) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1935, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to said bill numbered 39.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. TAYLOR, of South Carolina, for balance of week, on account of official business.

To Mr. Sisson, for today, on account of important business.

To Mr. PLUMLEY, for Friday, June 1, on account of official business.

#### SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills and an enrolled joint resolution of the Senate of the following titles:

- S. 85. An act for the relief of Paul J. Sisk;
- S. 177. An act for the relief of Woodhouse Chain Works;
- S. 256. An act for the relief of Milburn Knapp;
- S. 308. An act to authorize the award of a decoration for distinguished service to Harry H. Horton;
- S. 512. An act for the relief of Peter Pierre;
- S. 785. An act for the relief of Elizabeth Bolger;
- S. 1073. An act for the relief of E. Walter Edwards;
- S. 1081. An act for the relief of McKimmon & McKee, Inc.;
- S. 1429. An act for the relief of Anthony J. Lynn;
- S. 1460. An act for the relief of Edgar Stivers;
- S. 1772. An act for the relief of the Western Montana Clinic, Missoula, Mont.;
- S. 2002. An act for the relief of R. S. Howard Co., Inc.;
- S. 2342. An act for the relief of I. T. McRee;
- S. 2745. An act to provide for changing the time of the meeting of Congress, the beginning of the terms of Members of Congress, and the time when the electoral votes shall be counted, and for other purposes;
- S. 2748. An act to authorize an appropriation for the reimbursement of Stelio Vassiliadis;
- S. 2798. An act for the relief of Nephew K. Clark;
- S. 2889. An act for the relief of certain Indians of the Fort Peck Reservation, Mont.;
- S. 2969. An act for the relief of the Mary Black Memorial Hospital;
- S. 2980. An act to modify the effect of certain Chippewa Indian treaties on areas in Minnesota;
- S. 3128. An act to pay certain fees to Maude G. Nicholson, widow of George A. Nicholson, late a United States Commissioner;
- S. 3307. An act for the relief of W. H. Le Duc; and

S.J.Res. 123. A joint resolution empowering certain agents authorized by the Secretary of Agriculture to administer oaths to applicants for tax-exemption certificates under the Cotton Act of 1934.

#### ADJOURNMENT

Mr. BYRNS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly, at 9 o'clock and 1 minute p.m., the House adjourned until tomorrow, Friday, June 1, 1934, at 12 o'clock noon.

#### MOTION TO DISCHARGE COMMITTEE

APRIL 23, 1934.

To the Clerk of the House of Representatives:

Pursuant to clause 4 of rule XXVII, I, CARL M. WEIDEMAN, move to discharge the Committee on Rules from the consideration of the resolution (H.Res. 332) entitled "A resolution providing for the consideration of H.R. 8479 to promote resumption of industrial activity, increase employment, and restore confidence by fulfillment of the implied guaranty by the United States Government of deposit safety in national banks", which was referred to said committee April 13, 1934, in support of which motion the undersigned Members of the House of Representatives affix their signatures, to wit:

- |                             |                          |
|-----------------------------|--------------------------|
| 1. Carl M. Weideman         | 51. G. J. Boileau        |
| 2. James J. Lanzetta        | 52. Chas. A. Wolverton   |
| 3. John D. Dingell          | 53. H. P. Beam           |
| 4. Martin L. Sweeney        | 54. J. H. Hoeppel        |
| 5. George R. Durgan         | 55. L. T. Marshall       |
| 6. M. J. Muldowney          | 56. Wm. I. Traeger       |
| 7. Charles V. Truax         | 57. J. W. Ditter         |
| 8. Fred C. Gilchrist        | 58. W. F. Brunner        |
| 9. C. C. Dowell             | 59. George G. Sadowski   |
| 10. Clarence J. McLeod      | 60. M. A. Zioncheck      |
| 11. M. A. Dunn              | 61. Edward A. Kelly      |
| 12. Loring M. Black         | 62. Wm. H. Sutphin       |
| 13. Thomas O'Malley         | 63. W. Frank James       |
| 14. Henry Ellenbogen        | 64. Ray P. Chase         |
| 15. Wm. Lemke               | 65. Peter A. Cavicchia   |
| 16. William P. Connery, Jr. | 66. F. H. Shoemaker      |
| 17. Geo. A. Dondero         | 67. Harold Knutson       |
| 18. John Lesinski           | 68. Chas. J. Colden      |
| 19. Jesse P. Wolcott        | 69. J. H. Sinclair       |
| 20. Fred A. Britten         | 70. John F. Dockweiler   |
| 21. Oscar De Priest         | 71. Everett M. Dirksen   |
| 22. P. H. Moynihan          | 72. B. K. Focht          |
| 23. E. W. Goss              | 73. Carroll Reece        |
| 24. Paul John Kvale         | 74. James Simpson        |
| 25. Martin F. Smith         | 75. George N. Seger      |
| 26. Gale H. Stalker         | 76. C. Murray Turpin     |
| 27. Magnus Johnson          | 77. Vincent Carter       |
| 28. Roy O. Woodruff         | 78. Stephen A. Rudd      |
| 29. Isaac Bacharach         | 79. W. P. Lambertson     |
| 30. Richard J. Welch        | 80. U. S. Guyer          |
| 31. N. L. Strong            | 81. G. W. Edmonds        |
| 32. Gardner R. Withrow      | 82. Arthur D. Healey     |
| 33. Hubert H. Peavey        | 83. Charles Kramer       |
| 34. Fred H. Hildebrandt     | 84. Raymond J. Cannon    |
| 35. James J. Connolly       | 85. Harry W. Musselwhite |
| 36. Florence P. Kahn        | 86. John W. McCormack    |
| 37. Ernest Lundeen          | 87. J. Howard Swick      |
| 38. Clyde Kelly             | 88. Martin J. Kennedy    |
| 39. Geo. F. Brumm           | 89. G. Foulkes           |
| 40. Geo. Blanchard          | 90. Knute Hill           |
| 41. J. Will Taylor          | 91. J. C. Lehr           |
| 42. J. Banks Kurtz          | 92. Prentiss M. Brown    |
| 43. James Wolfenden         | 93. John J. Douglass     |
| 44. Jennings Randolph       | 94. Edgar Howard         |
| 45. W. E. Evans             | 95. John T. Buckbee      |
| 46. D. Lane Powers          | 96. Isabella Greenway    |
| 47. Henry Arens             | 97. Frank R. Reid        |
| 48. Carroll L. Beedy        | 98. Leo E. Allen         |
| 49. Harry L. Englebright    | 99. George W. Lindsay    |
| 50. Elmer E. Studley        | 100. Jas. L. Whitley     |



101. Chester C. Bolton	124. Alfred M. Waldron
102. Lloyd Thurston	125. Kent E. Keller
103. Wm. L. Fiesinger	126. Virginia E. Jenckes
104. Stephen M. Young	127. Compton I. White
105. O. L. Auf der Heide	128. Wm. T. Schulte
106. Terry Carpenter	129. Anthony J. Griffin
107. A. H. Gasque	130. John J. McGrath
108. Charles N. Crosby	131. Lawrence E. Imhoff
109. J. O. Fernandez	132. John Fitzgibbons
110. James W. Mott	133. William J. Granfield
111. Thomas J. O'Brien	134. J. A. Frear
112. Wesley Lloyd	135. Frank C. Kniffin
113. Sam L. Collins	136. L. T. McFadden
114. Thomas C. Cochran	137. Edward A. Kenney
115. John J. Delaney	138. T. A. Jenkins
116. Joseph P. Monaghan	139. Martin A. Brennan
117. Finly H. Gray	140. Ross A. Collins
118. William I. Sirovich	141. Paul H. Maloney
119. Sterling P. Strong	142. Sol Bloom
120. Dow W. Harter	143. C. W. Tobey
121. Walter Nesbit	144. Harry C. Ransley
122. M. J. Hart	145. Joseph A. Gavagan
123. John H. Burke	

This motion was entered upon the Journal, entered in the CONGRESSIONAL RECORD with signatures thereto, and referred to the Calendar of Motions to Discharge Committees, May 31, 1934.

#### COMMITTEE HEARING

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(Friday, June 1, 10 a.m.)

Continuation of the hearings on the oil bill H.R. 9676.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KENNEDY of Maryland: Committee on Disposition of Useless Executive Papers. House Report No. 1836. Report on the disposition of useless papers in the War Department. Ordered to be printed.

Mr. COLLINS of California: Committee on Indian Affairs. H.R. 7095. A bill to amend the act entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California", approved May 18, 1928 (45 Stat.L. 602), by adding a new section thereto, to be known and designated as "section 8"; with amendment (Rept. No. 1837). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLER: Committee on the Library. H.R. 8835. A bill authorizing the establishment of a filing and indexing service for useful Government publications; with amendment (Rept. No. 1843). Referred to the Committee of the Whole House on the state of the Union.

Mr. McKEOWN: Committee on the Judiciary. H.R. 9566. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; with amendment (Rept. No. 1844). Referred to the House Calendar.

Mr. GLOVER: Committee on Agriculture. S. 2934. An act to facilitate the acquisition of migratory-bird refuges, and for other purposes; with amendment (Rept. No. 1845). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WALTER: Committee on Claims. H.R. 8258. A bill for the relief of the New Amsterdam Casualty Co.; with amendment (Rept. No. 1839). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on Claims. H.R. 8257. A bill for the relief of William Lyons; with amendment (Rept. No. 1840). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on Claims. H.R. 8552. A bill for the relief of Henry W. Bibus, Annie Ulrick, Samuel Henry, Charles W. Hensor, Headley Woolston, John Henry, Laura B. Margerum, and George H. Custer, of Falls Township and borough of Tullytown, Bucks County, Commonwealth of Pennsylvania; with amendment (Rept. No. 1841). Referred to the Committee of the Whole House.

Mr. ELLZEY of Mississippi: Committee on Claims. H.R. 8594. A bill for the relief of the Otto Misch Co; without amendment (Rept. No. 1842). Referred to the Committee of the Whole House.

#### CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Military Affairs was discharged from the consideration of the joint resolution (H.J.Res. 359) for the relief of W. K. Richardson, and the same was referred to the Committee on War Claims.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. STEAGALL: A bill (H.R. 9814) to amend section 19 of the Federal Reserve Act, as amended, and for other purposes; to the Committee on Banking and Currency.

By Mr. SUMNERS of Texas: A bill (H.R. 9815) to provide that failure to testify at congressional investigations shall be reported to the President of the Senate or the Speaker of the House; to the Committee on the Judiciary.

By Mr. COLLINS of Mississippi: A bill (H.R. 9816) to construct a through multiple national highway system; to the Committee on Roads.

By Mr. SIROVICH: Resolution (H.Res. 403) to examine into and investigate the results achieved by the National Recovery Administration under the terms of the National Industrial Recovery Act; to the Committee on Rules.

By Mr. CALDWELL: Resolution (H.Res. 404) to authorize an investigation on the extent to which the United States is dependent upon foreign nations for its supply of tin, and for other purposes; to the Committee on Rules.

By Mr. KELLER: Resolution (H.Res. 405) authorizing the Committee on the Library to make a study of the United States Botanic Garden in comparison with other botanic gardens, and for other purposes; to the Committee on Rules.

By Mr. KELLER: Resolution (H.Res. 406) to provide for the expenses of an investigation authorized by House Resolution 405; to the Committee on Accounts.

By Mr. McKEOWN: Resolution (H.Res. 407) for the consideration of H.R. 9566, a bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on Rules.

By Mr. RANKIN: Resolution (H.Res. 408) providing for the appointment of a committee to investigate all phases of guardianship matters pertaining to beneficiaries of the Veterans' Administration whose estates are being administered by fiduciaries; to the Committee on Rules.

By Mr. FISH: Joint resolution (H.J.Res. 362) for the designation and observation of the week of June 10 to June 16, 1934, as United States flag week throughout the Nation; to the Committee on the Judiciary.

By Mr. JOHNSON of Minnesota: Concurrent resolution (H.Con.Res. 41) for the relief of farmers in the drought-stricken area of the United States; to the Committee on Agriculture.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FULMER: A bill (H.R. 9817) to correct the naval record of Decatur M. Bronson; to the Committee on Naval Affairs.

By Mr. IMHOFF: A bill (H.R. 9818) granting an increase of pension to Mary J. Morrow; to the Committee on Invalid Pensions.

By Mrs. McCARTHY: A bill (H.R. 9819) granting a pension to Bertha A. Kendall; to the Committee on Pensions.

By Mr. SHALLENBERGER: A bill (H.R. 9820) for the relief of the State of Nebraska; to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4863. By Mr. BOYLAN: Resolution unanimously adopted at the Forty-second Annual Convention of the National-American Wholesale Lumber Association, held at Washington, D.C., favoring the immediate passage of Senate bill 3606 and House bill 9620, to improve Nation-wide housing standards, and so forth; to the Committee on Banking and Currency.

4864. Also, resolution unanimously adopted by the Supreme Council Catholic Benevolent Legion, Brooklyn, N.Y., favoring the amendment to section 301 of the Radio Act; to the Committee on Merchant Marine, Radio, and Fisheries.

4865. By Mr. CONDON: Petition of the Rhode Island Development Conference urging the passage of House bill 9177, a bill authorizing the Reconstruction Finance Corporation to loan \$12,000,000 to the Respass Aeronautical Corporation for the construction and operation of two suspension-bridge-type airships in trans-Atlantic service; to the Committee on Banking and Currency.

4866. By Mr. LEHR: Petition of the United Brotherhood of Carpenters and Joiners of America, Union No. 512, of Ann Arbor, Mich., urging passage of the Wagner-Lewis bill; to the Committee on Labor.

4867. By Mr. LINDSAY: Petition of the L. J. Cullen Co., Chicago, Ill., urging support of the amendment to House bill 9528; to the Committee on Agriculture.

4868. Also, petition of the National Association of Manufacturers, Washington, D.C., concerning the Wagner labor-disputes bill (S. 2926); to the Committee on Labor.

4869. By Mr. THOMAS: Petition of 24 citizens of Fort Edward, Washington County, N.Y., urging support of bills pending to protect the rights of the American Indians; to the Committee on Indian Affairs.

4870. By the SPEAKER: Petition of the City Council of the City of Chicago, regarding amendment to the loans-to-industry bill, authorizing the Reconstruction Finance Corporation to make loans up to \$75,000,000 to school districts; to the Committee on Banking and Currency.

4871. Also, petition of the Texas Bankers' Association, favoring Federal assistance in cooperation with State authorities in the enforcement of laws regulating the movement of oil in commerce; to the Committee on Interstate and Foreign Commerce.

4872. Also, petition of D. O. Tenney and numerous other citizens of Sacramento, Calif., endorsing House bill 9596; to the Committee on Interstate and Foreign Commerce.

4873. Also, petition of the American Technotax Society, Whittier, Calif., requesting an appropriation of \$100,000, or as much as may be required, to conduct a comprehensive survey of the man power or man displacement of machines and equipment used in mass production; to the Committee on Ways and Means.

4874. Also, petition of Local Union No. 96, Washington, D.C., of the Journeymen Plasterers (International Association), endorsing the Walsh resolution providing an appropriation of \$25,000 for an investigation of the so-called "kick-back racket" by plastering contractors; to the Committee on Labor.

4875. Also, petition of the Ohio State Association of the Improved Benevolent Order of Elks of the World, office of the Civil Liberties Commission, Cleveland, Ohio, endorsing all antilynching bills; to the Committee on the Judiciary.

4876. Also, Cragin State Bank Depositors Organization, Chicago, Ill., urging the passage of the bill to pay off all depositors of all banks closed since January 1, 1930; to the Committee on Banking and Currency.

4877. Also, petition of D. O. Tenney, Sacramento, Calif., urging passage of the rail pension bill H.R. 9596, the

petition being signed by numerous persons, and a statement attached thereto that 2,700 railroad employees had been contacted; to the Committee on Interstate and Foreign Commerce.

4878. Also, petition of the Board of Trustees of the Village of Bellwood, Ill., making a plea for aid of distressed municipalities; to the Committee on Coinage, Weights, and Measures.

4879. Also, petition of a community mass meeting held in the Radnor High School, Wayne, Pa., backing the McLeod banking bill; to the Committee on Banking and Currency.

4880. Also, petition of C. A. Compton and numerous others, of Tucson, Ariz., urging legislation, this Congress, for the laboring people; to the Committee on Ways and Means.

4881. Also, petition of Caroline B. Butler and numerous other citizens of Cambridge and other Massachusetts cities, supporting the amendment to section 301 of Senate bill 2910, providing for the insurance of equity of opportunity for non-profit-making associations seeking licenses for radio broadcasting; to the Committee on Merchant Marine, Radio, and Fisheries.

4882. Also, petition of the Catholic Benevolent Legion, Brooklyn, N.Y., supporting the amendment to section 301 of Senate bill 2910, providing for the insurance of equity of opportunity for non-profit-making associations seeking licenses for radio broadcasting; to the Committee on Merchant Marine, Radio, and Fisheries.

4883. Also, petition of the Independent Petroleum Association, Los Angeles, Calif., urging Congress to reject the proposed Federal oil-control legislation; to the Committee on Interstate and Foreign Commerce.

4884. Also, petition of numerous persons, of Baylis, Ill., urging passage of the Railroad Retirement Act (S. 3231 and H.R. 9596); to the Committee on Interstate and Foreign Commerce.

4885. Also, petition of the Independent Petroleum Jobbers' Association of Pennsylvania, Mount Joy, Pa., disapproving and opposing the enactment of the Federal Petroleum Act (S. 3495) and the Disney bill (H.R. 9676); to the Committee on Interstate and Foreign Commerce.

4886. Also, petition of the National-American Wholesale Lumber Association, Inc., New York City, favoring the passage of Senate bill 3603 and House bill 9620; to the Committee on Banking and Currency.

4887. Also, petition of Gran Logia Soberana de L. y A. M. de Puerto Rico, San Juan, P.R., favoring the bill of Mr. LANZETTA which excludes the Island of Puerto Rico from coastwise-shipping laws; to the Committee on Merchant Marine, Radio, and Fisheries.

4888. Also, petition of the Wisconsin Conference of the Evangelical Church, renouncing war; to the Committee on Military Affairs.

4889. Also, petition of numerous employees, of the Chicago, Milwaukee & St. Paul Railroad, urging the passage of Senate bill 3231; to the Committee on Interstate and Foreign Commerce.

## SENATE

FRIDAY, JUNE 1, 1934

(Legislative day of Monday, May 28, 1934)

The Senate met at 10:30 a.m., on the expiration of the recess.

#### THE JOURNAL

On motion of Mr. ROBINSON of Arkansas, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, May 31, was dispensed with, and the Journal was approved.

#### DISPOSITION OF CERTAIN LIGHTHOUSE RESERVATIONS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Commerce, transmitting a draft of proposed legislation authorizing the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes, which, with the accompanying paper, was referred to the Committee on Commerce.